

Noting the comments submitted by Member States pursuant to paragraph 1 of resolution 1967 (XVIII) and paragraph 2 of resolution 2104 (XX) and the views expressed during its twentieth and twenty-first sessions,

Noting chapter VII of the report of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States,⁵ established under General Assembly resolution 1966 (XVIII) of 16 December 1963,

Reaffirming its belief that an important contribution to the peaceful settlement of disputes and to the prevention of such disputes could be made by providing for impartial fact-finding within the framework of international organizations and in bilateral and multilateral conventions,

Noting that, with regard to methods of fact-finding in international relations, considerable documentation has now been made available by the Secretary-General in his reports on practice in relation to the settlement of disputes and the execution of international agreements, and by the views expressed and the proposals made by Member States,

Recalling its belief that a study of the question might include the feasibility and desirability of establishing a special international body for fact-finding or of entrusting to an existing organization fact-finding responsibilities complementary to existing arrangements and without prejudice to the right of parties to any dispute to seek other peaceful means of settlement, of their own choice,

Having been unable, owing to lack of time, to consider the substance of the question of methods of fact-finding,

1. *Invites* Member States to submit in writing to the Secretary-General, before 1 August 1967, any views, or further views, they may have on this subject, taking into account the reports of the Secretary-General, the views expressed and the proposals made;

2. *Decides* to include an item entitled "Question of methods of fact-finding" in the provisional agenda of its twenty-second session, with a view to considering what further action may be appropriate.

*1489th plenary meeting,
12 December 1966.*

2203 (XXI). Draft Declaration on the Right of Asylum

The General Assembly,

Recalling its resolutions 1839 (XVII) of 19 December 1962 and 2100 (XX) of 20 December 1965 relating to the draft Declaration on the Right of Asylum,

1. *Takes note* of the report of the Sixth Committee,⁶ to which is annexed a draft Declaration on Territorial Asylum, together with the amendments and proposals considered in connexion with its elaboration;

2. *Requests* the Secretary-General to transmit to Member States, for their further consideration, the text of the above-mentioned draft Declaration, together with the report of the Sixth Committee thereon;

3. *Decides* to place an item entitled "Draft Declaration on Territorial Asylum" on the provisional agenda

⁵ *Ibid.*, *Twentieth Session, Annexes*, agenda items 90 and 94, document A/5746.

⁶ *Ibid.*, *Twenty-first Session, Annexes*, agenda item 85, document A/6570.

of its twenty-second session, with a view to the final adoption of a declaration on this subject.

*1496th plenary meeting,
16 December 1966.*

2204 (XXI). Technical assistance to promote the teaching, study, dissemination and wider appreciation of international law

The General Assembly,

Recalling its resolution 2099 (XX) of 20 December 1965 establishing a programme of assistance and exchange in the field of international law,

Noting with appreciation the report of the Secretary-General⁷ on the implementation of resolution 2099 (XX) and the recommendations made to the Secretary-General by the Advisory Committee on Technical Assistance to Promote the Teaching, Study, Dissemination and Wider Appreciation of International Law, which are contained in that report,

1. *Authorizes* the Secretary-General to carry out in 1967 the activities specified in his report, including the following items of direct assistance:

(a) The holding of a regional training and refresher course, in co-operation with the United Nations Educational, Scientific and Cultural Organization;

(b) The award of ten fellowships at the request of Governments of developing countries;

(c) The provision of a set of United Nations legal publications to up to fifteen institutions in developing countries;

(d) The provision of advisory services of experts, if requested by developing countries, within the framework of existing technical assistance programmes;

2. *Accepts with satisfaction* the offer of the United Republic of Tanzania to provide facilities for the regional training and refresher course to be held in Africa in 1967;

3. *Expresses its appreciation* to those Member States which have made voluntary contributions towards the financing of the programme and reiterates its invitation to Member States, interested bodies and individuals to make voluntary contributions for this purpose;

4. *Expresses its appreciation* to the United Nations Educational, Scientific and Cultural Organization for its participation in the programme;

5. *Expresses its appreciation* to the United Nations Institute for Training and Research for its activities in the field of international law and expresses the hope that it will continue and, if possible, expand these activities;

6. *Decides* that the programme established under General Assembly resolution 2099 (XX) shall henceforth be known as the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, and that accordingly the Advisory Committee set up under that resolution shall be known as the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law;

7. *Requests* the Secretary-General to report to the General Assembly at its twenty-second session on the

⁷ *Ibid.*, agenda item 86, documents A/6492 and Add.1.

preparation and execution of the items of the Programme for performance in 1967 and 1968 and, following consultations with the Advisory Committee, to submit recommendations regarding the execution of the Programme in subsequent years;

8. *Decides* to include in the provisional agenda of its twenty-second session an item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

*1496th plenary meeting,
16 December 1966.*

2205 (XXI). Establishment of the United Nations Commission on International Trade Law

The General Assembly,

Recalling its resolution 2102 (XX) of 20 December 1965, by which it requested the Secretary-General to submit to the General Assembly at its twenty-first session a comprehensive report on the progressive development of the law of international trade,

Having considered with appreciation the report of the Secretary-General on that subject,⁸

Considering that international trade co-operation among States is an important factor in the promotion of friendly relations and, consequently, in the maintenance of peace and security,

Recalling its belief that the interests of all peoples, and particularly those of developing countries, demand the betterment of conditions favouring the extensive development of international trade,

Reaffirming its conviction that divergencies arising from the laws of different States in matters relating to international trade constitute one of the obstacles to the development of world trade.

Having noted with appreciation the efforts made by intergovernmental and non-governmental organizations towards the progressive harmonization and unification of the law of international trade by promoting the adoption of international conventions, uniform laws, standard contract provisions, general conditions of sale, standard trade terms and other measures,

Noting at the same time that progress in this area has not been commensurate with the importance and urgency of the problem, owing to a number of factors, in particular insufficient co-ordination and co-operation between the organizations concerned, their limited membership or authority and the small degree of participation in this field on the part of many developing countries,

Considering it desirable that the process of harmonization and unification of the law of international trade should be substantially co-ordinated, systematized and accelerated and that a broader participation should be secured in furthering progress in this area,

Convinced that it would therefore be desirable for the United Nations to play a more active role towards reducing or removing legal obstacles to the flow of international trade,

Noting that such action would be properly within the scope and competence of the Organization under the terms of Article 1, paragraph 3, and Article 13, and of Chapters IX and X of the Charter of the United Nations,

Having in mind the responsibilities of the United Nations Conference on Trade and Development in the field of international trade,

Recalling that the Conference, in accordance with its General Principle Six,⁹ has a particular interest in promoting the establishment of rules furthering international trade as one of the most important factors in economic development,

Recognizing that there is no existing United Nations organ which is both familiar with this technical legal subject and able to devote sufficient time to work in this field,

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Decides to establish a United Nations Commission on International Trade Law (hereinafter referred to as the Commission), which shall have for its object the promotion of the progressive harmonization and unification of the law of international trade, in accordance with the provisions set forth in section II below;

II

ORGANIZATION AND FUNCTIONS OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW

1. The Commission shall consist of twenty-nine States, elected by the General Assembly for a term of six years, except as provided in paragraph 2 of the present resolution. In electing the members of the Commission, the Assembly shall observe the following distribution of seats:

- (a) Seven from African States;
- (b) Five from Asian States;
- (c) Four from Eastern European States;
- (d) Five from Latin American States;
- (e) Eight from Western European and other States.

The General Assembly shall also have due regard to the adequate representation of the principal economic and legal systems of the world, and of developed and developing countries.

2. Of the members elected at the first election, to be held at the twenty-second session of the General Assembly, the terms of fourteen members shall expire at the end of three years. The President of the General Assembly shall select these members within each of the five groups of States referred to in paragraph 1 above, by drawing lots.

3. The members elected at the first election shall take office on 1 January 1968. Subsequently, the members shall take office on 1 January of the year following each election.

4. The representatives of members on the Commission shall be appointed by Member States in so far as possible from among persons of eminence in the field of the law of international trade.

5. Retiring members shall be eligible for re-election.

6. The Commission shall normally hold one regular session a year. It shall, if there are no technical difficulties, meet alternately at United Nations Headquarters and at the United Nations Office at Geneva.

7. The Secretary-General shall make available to the Commission the appropriate staff and facilities required by the Commission to fulfil its task.

⁹ See *Proceedings of the United Nations Conference on Trade and Development*, vol. I, *Final Act and Report* (United Nations publication, Sales No.: 64.II.B.11), annex A.I.1, p. 18.

⁸ *Ibid.*, agenda item 88, documents A/6396 and Add.1 and 2.