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REGIONAL AND INTERNATIONAL ACTIVITIES

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ORGANIZATION OF AMERICAN STATES

GENERAL ASSEMBLY

The February 1973 issue of the *Lawyer of the Americas* contains information on the preparation and topics of the preliminary draft agenda for the third regular session of the General Assembly scheduled for Washington, D. C., beginning April 4, 1973. On November 1, 1972 that document was sent to the Governments of the Member States, and from their observations, several new topics were added.

On January 23, 1973 the Preparatory Committee of the General Assembly approved the draft agenda for the session, and submitted it to the Assembly with the following new topics: Consideration of the ultimate purpose and the mission of the Organization of American States and ways of achieving that goal in the international climate existing in the world today; review of the system of Inter-American cooperation for development, with a view to its improvement and updating in order to strengthen regional solidarity in that field, and to avoid acts or measures serving unilateral interests alien to the objectives of cooperation.

The October 1973 issue of the *Lawyer* will carry the results of the April, 1973 General Assembly.

*The opinions expressed in this report are those of the author in his personal capacity.

INTER-AMERICAN JURIDICAL COMMITTEE

The Committee met from January 15 to February 16, 1973 in Rio de Janeiro, and approved, among other documents, a resolution on the Law of the Sea and a draft inter-American Convention on Extradition.

Resolution on the Law of the Sea

The Inter-American Juridical Committee had been studying the law of the Sea since its meeting of March and April, 1971. The problem of a new legal system governing the seas was studied at depth in the light of the valuable contributions submitted by several of its members. On February 9, 1973 the Committee approved a pertinent resolution on this matter consisting of fifteen paragraphs.

In the preamble, it is stated that the Committee agrees that the principles and standards contained in the resolution represent the common elements of the positions of the American states, and it therefore recommends that the American states take them into consideration and present them at a regional or worldwide conference on a new legal system governing the seas.

Paragraph 1 provides that the sovereignty or jurisdiction of a coastal state extends beyond its territory and its internal waters to an area of the sea adjacent to its coast up to a maximum distance of 200 nautical miles, as well as to the air space above and the bed and subsoil of that area. Consequently, limits of up to 200 miles established or to be established by any American state are valid, provided that the provisions of paragraph 4 are observed.

Paragraph 2 stipulates that within that area of the sea there are two zones: one extending to a distance of 12 nautical miles, and another that extends from the outer limit of the first zone to a distance of 200 nautical miles, measured in accordance with the applicable rules of international law. The distinction between the two zones is made for the purposes set forth in paragraphs 3, 4, 7 and 8.

In paragraph 3 it is provided that within the limits of the 12-mile zone, the ships of any state, whether coastal or not, shall enjoy the right of innocent passage, in accordance with international law.

Paragraph 4 provides that within the limits of the zone adjacent to the 12-mile zone, the ships and aircraft of any state, whether coastal or

not, shall enjoy the right of free navigation and overflight, subject to the pertinent regulations of the coastal state with regard to the preservation of the marine environment, the activities of exploration, exploitation and scientific research conducted therein, and the safety of maritime navigation and transportation, all in accordance with international law.

According to paragraph 5, ships and aircraft that transit through or over international straits that are customarily used for international navigation and that join two free seas enjoy the freedom of navigation and overflight regulated in paragraph 4. This provision shall be understood to be without prejudice to the legal status of certain straits, transit through or over which is regulated by international agreements in force that deal specifically with those straits.

Under paragraph 6, in the utilization of the resources that exist in the zone that extends from the 12-mile limit to the 200-mile limit, beyond which extend the high seas, the objective of the coastal states shall be the maximum development of their economies and the raising of the standards of living of their peoples.

Paragraph 7 provides that with regard to the zone extending from the 12-mile limit to the 200 nautical mile limit, a coastal state has the following powers:

- a. To regulate and conduct exploration of the sea, its bed, and its subsoil, and exploitation of the living and non-living resources; that it or its nationals may undertake those activities, or assign them to third parties in accordance with the provisions of its domestic legislation or of any international agreement concluded on the subject;
- b. to regulate and adopt the necessary measures to prevent, reduce, or eliminate the damage and risks of pollution and other effects harmful or dangerous to the ecological system of the marine environment, the quality and use of the waters, the living resources, human health, and other interests of its population, in accordance with the criteria established by its authorities and taking into account the recommendations and guidelines of international technical organizations, as well as cooperation with other states;
- c. to promote scientific research activities, to participate in carrying them out, and to receive the results obtained, taking into account

- the advisability of facilitating such activities without undue discrimination or restriction;
- d. to exchange information on the plans and activities of the coastal state in the ocean zone referred to in paragraph 4, in order to ensure the most effective international cooperation;
 - e. to establish specific regulations on the exploration and economic exploitation of the various ocean zones of the sea that it may consider advisable to establish in the area up to the limit of 200 nautical miles.

As provided for in paragraph 8, within the zone that extends from the 12-mile limit to the 200 nautical mile limit, the coastal state shall authorize the laying of underwater cables and conduits recognized under international law, subject to the domestic regulations of that state for the regulation of navigation, scientific research, and preservation of the marine environment.

Paragraph 9 stipulates that the coastal state shall authorize the non-coastal states in the region to exploit living resources within the zone that extends from the 12-mile limit to the 200 nautical mile limit, granting them preferential rights in relation to third states and in accordance with criteria to be set forth in multilateral, regional or bilateral agreements.

Under paragraph 10, the sovereignty or jurisdiction of any territory subject to colonial domination, in the second zone mentioned in paragraph 2 of this resolution, shall not be recognized so long as that domination lasts.

The problem of the continental shelf is taken up in paragraphs 11 and 12. According to paragraph 11, for purposes of exploration and exploitation of the natural resources of the seabed and the subsoil, the sovereignty of the coastal state extends beyond the zone mentioned in paragraph 1 throughout its sector of the continental shelf. Under paragraph 12, the continental shelf comprises the seabed and the subsoil of the undersea areas adjacent to the coast up to the outer border of the continental rise, that is, the boundary with the ocean basin or abyssal depths.

According to paragraph 13, seabeds and ocean floors located beyond the 200 nautical mile zone and beyond the continental shelf, as well as the resources that may be extracted therefrom are the common heritage of mankind. Under paragraph 14, the future legal system governing the

high seas and the exploitation of their resources should be organized on regional and not on world-wide basis.

Paragraph 15 provides that the rational and peaceful use of the sea demands commitment by all states to avoid every form of pollution and of depredation of living resources, and that it requires the cessation of all testing of nuclear weapons in the sea, in its bed or subsoil, or in the atmosphere.

Eight members of the Inter-American Juridical Committee presented written explanations of their votes in relation to the above-mentioned resolution on the Law of the Sea.

Draft Inter-American Convention on Extradition

Resolution AG/RES. 91 (II-0/72) approved by the OAS General Assembly on April 21, 1972 requested the Inter-American Juridical Committee, based on the observations of the governments on the Draft Convention on Extradition approved by the Inter-American Council of Jurists in 1959, to prepare a new draft convention to be submitted to the General Assembly through the Permanent Council. The latter would in turn formulate such observations as deemed advisable, in accordance with article 91 (f) of the Charter of the OAS.

During its regular meeting held in January-February 1973, the Inter-American Juridical Committee carefully studied the 1959 Draft Convention as well as the observations presented by Argentina, Costa Rica, Mexico, Trinidad and Tobago, the United States and Venezuela.

As a result of its deliberations, on February 7, 1973 the Committee approved a new Draft Inter-American Convention on Extradition, accompanied by a detailed *Exposé des Motifs*.

Two members of the Committee presented written explanations of their votes.

Following is a resumé of some of the articles of this important Draft Convention.

According to Art. 1, the Contracting States bind themselves, in accordance with the provisions of the Convention, to surrender to another contracting State requesting the extradition, such persons who may be under indictment for or are judicially charged with, or who are being tried for or have been convicted of an offense in that State.

Art. 2 provides that, for extradition to be granted, the offense must have been committed within the jurisdiction of the requesting State according to legislation in force at the time of the offense. When the offense for which extradition is requested has been committed outside the territory of the requesting State, extradition may be granted provided the requesting State has jurisdiction to take cognizance of the offense that gave rise to the request for extradition, and to pronounce judgment thereon.

Under Art. 4, the request for extradition shall be made by the diplomatic agent of the requesting State, or, should there be none, by its consular officer, or, when appropriate, by the diplomatic agent of a third State to whom is entrusted the representation of the interests of the requesting State. The request may also be made directly from government to government. Art. 5 indicates the documents that should accompany the extradition request.

According to Art. 8, the nationality of the person may not be invoked as grounds for denying extradition, except when the law of the requested State establishes the contrary. Art. 9, however, stipulates that, if, when extradition is applicable a State does not deliver the person sought, because of some impediment, the requested State shall be obligated to try him for the deed imputed to him, just as if it had been committed within its territory, and shall inform the requesting State of the judgment rendered.

Art. 10 cites the cases where extradition is not applicable, which, among others, are as follows: When the individual has completed his punishment or has been granted an amnesty or pardon in the requesting State for the crime for which extradition is sought, or when he has been acquitted or the case against him for the offense has been dismissed; when the trial or punishment is barred by the Statute of Limitations, according to the laws of the requesting or the requested States, prior to the date of the granting of extradition; when, as determined by the requested State, the offense for which the person is sought is a political offense or an offense related thereto.

Art. 11 provides that no provision of the Convention shall stand in the way of extradition for the crime of genocide or any other offense that is extraditable under a treaty in force between the requesting and the requested States. On the other hand, Art. 12 states that no provision of the Convention may be interpreted as a limitation on the right of asylum, when its exercise is in order.

As provided for in Art. 13, no person surrendered to a State in accordance with the Convention may be condemned to death or life imprisonment.

According to Art. 15, if extradition is requested by more than one State, either for the same offense or for different offenses, the requested State shall make its decision having regard to all circumstances, and especially the relative seriousness and place of commission of the offenses, the respective dates of the requests, the nationality of the person whose extradition is requested, and the possibility of subsequent extradition to another State.

Art. 18 provides that the person sought shall have the right to utilize all the legal remedies available to him according to the law of the requested state. Furthermore, the person sought shall be assisted by legal counsel and if the official language of the country is different from his own language, he shall also be assisted by an interpreter. Under Art. 19, if the extradition has been granted, the requesting State shall take charge of the person sought within a period of thirty days, counting from the date on which he was placed at its disposal. If it does not do so within that period the person sought shall be set free, and he may not be subjected to a new extradition procedure for the same offense or offenses. Once the request for extradition of a person has been denied, the request may not be made again for the same offense.

Art. 24 is the first of the final clauses of the Draft Convention. It provides that the Convention shall remain open for signature by the Member States of the OAS, as well as by any other State that requests to sign it. Under Art. 25, the Convention shall be ratified by the signatory States in accordance with their constitutional procedures. As provided for in Art. 27, the Convention shall enter into force among the ratifying States when they deposit their instruments of ratification.

Course on International Law

Also at its January-February 1973 meeting, the Inter-American Juridical Committee took the first steps towards organizing a Course on International Law, an activity which will be similar to the Seminars that are held during the sessions of the International Law Commission. The Committee hopes to organize a course to be offered during its regular sessions held in July and August of each year, with the first one scheduled for July-August 1973. The subjects of the first course will be: The Law

of the Sea, Private International Law, and the Law on Latin American Integration.

The Committee has requested the OAS General Assembly to provide the necessary funds to carry out this important activity. In its 1973 annual report to the General Assembly, besides requesting the necessary funds, the Committee also presented some alternative solutions, such as the granting of scholarships to young officers of the Ministries of Foreign Affairs of the American countries or other public or private institutions, to attend the course. The Committee suggested the granting of twenty-three scholarships, one for each American State.

CIES

The Inter-American Economic and Social Council (CIES) held its VIII annual meeting in Bogota in January-February, 1973, during which it approved several resolutions and recommendations.

In one of these resolutions, CIES approved a six page declaration as a general basis for future decisions on cooperation and development within the inter-American system. This document states, in part, that a review of the inter-American system of cooperation in the social, economic, scientific, and technological fields should be made, with a view to updating and improving it within the context of the political situation in the Hemisphere. In the field of trade, the declaration stated that a true increase in the participation of Latin America in world trade should be attained through the elimination or reduction by the developed countries of any barriers restricting exports from the developing countries. Steps should be taken to increase the access of Latin American products to the markets of the United States and other developed countries, and to this effect the pertinent mechanisms for production, consultation and negotiation should be strengthened.

On the question of external financing, the declaration states that steps should be taken to strengthen the mechanisms for increasing the volume of external financing for Latin American development, in accordance with the needs and the strategy adopted by each country in the region, and that preferential attention should be given to the special financial needs of the relatively less developed countries. The declaration also indicates that foreign private investment, as a complementary source of external financing for development, must adjust itself to existing legislation in each country or group of countries as well as to the

strategy of the recipient country. In addition, it reiterated that transnational companies should conform to the economic policies of the country in which they operate, and that since they are subject to its legislation, any controversies that may arise with transnational firms should be resolved by the courts of the country in which they operate, in accordance with its laws, in no case giving rise to foreign claims.

Another CIES resolution dealt with the Special Committee for Consultation and Negotiation (CECON). It reaffirmed that CECON should be a dynamic and continuous instrument for dialogue, consultation and negotiation on specific topics between the Latin American countries and the United States of America, and that it should be retained in any reorganization of the inter-American system of cooperation.

In the field of tourism, CIES approved a recommendation by CIAP for the establishment of the Inter-American Tourism Training Center and Subcenter, with headquarters in Mexico and in Argentina, respectively, in accordance with the offers made by the governments of those Member States.

CIES also approved a draft Organization Plan of the International Travel Congresses, and submitted it to the third regular session of the OAS General Assembly, April 4, 1973. According to the draft plan, the Congresses will be specialized conferences within the context of the OAS Charter, permanent in nature and will function within the sphere of CIES. The Congresses have, among others, the following purposes and functions: a) To aid and promote, by all available means, the development and progress of tourist travel in the Americas; b) to organize and encourage regular meetings of technicians and experts for the study of special problems related to tourist travel; c) to foster the harmonization of laws and regulations concerning tourist travel; d) to study, suggest and sponsor, through the OAS, the adoption of official agreements among American governments relating to tourist travel; e) to serve as advisory body of the OAS and its organs in all matters related to tourism in the Hemisphere.

The draft Organization Plan also provides that the Travel Congresses should meet regularly every three years, and all Member States of the OAS have the right to be represented. The Permanent Executive Committee of the Congresses shall be composed of specialists representing the governments of seven countries. The Congresses shall appoint such technical committees as may be necessary for carrying out its objectives.

It should be pointed out that several Travel Congresses have been held within the sphere of the OAS. The new Plan is being submitted to the OAS General Assembly with the idea of approving new standards and regulations for these Congresses.

In another resolution, CIES approved the draft Organization Plan of the Pan American Highway Congresses, and submitted it to the third regular session of the OAS General Assembly. The goals of these Congresses are, among others, the following:

a) To promote, by all available means, the development of highways and road transportation in the American Hemisphere in order to speed up the progressive integration of the Pan American highway system with the national and international transportation systems; b) to encourage multinational coordination of highway planning, programming, financing, and administration; c) to promote the opening of large highways of multinational interest, by supporting the financial negotiations of the interested countries; d) to promote uniformity of highway and traffic standards throughout the Hemisphere; e) to act as the principal advisory organ of the OAS in all matters relating to highways; f) to study, propose and sponsor, through the OAS, the adoption of official agreements among the American governments relating to studies for the planning, design, construction, improvement, and maintenance and use of highways, at the national and international levels.

The Plan also provides for regular meetings of the Congresses to be held every four years. As specialized conferences, the Congresses constitute an activity of the OAS, and as such, the governments of all Member States of the OAS may participate. The Permanent Executive Committee of the Pan American Highway Congresses shall be composed of representatives of the governments of eleven countries. The Congresses may appoint the necessary technical committees.

It should be noted that several Pan American Highway Congresses have been held as an activity of the OAS. The new Plan was submitted to the OAS General Assembly to establish new standards and regulations for such congresses.

UNITED NATIONS

The twenty-seventh (XXVII) regular session of the General Assembly of the United Nations was held in New York, September 19 to De-

ember 19, 1972. This report contains a resumé of some of the resolutions adopted during that session.

SECURITY COUNCIL

On October 20, 1972 the General Assembly of the United Nations elected five states to serve on the Security Council for a two-year term beginning January 1, 1973 to replace five others whose terms expired on December 31, 1972.

The Security Council is now composed of the following fifteen members: Australia, Austria, China, France, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan, USSR, United Kingdom, United States, Yugoslavia.

ECONOMIC AND SOCIAL COUNCIL

On October 31, 1972, the General Assembly elected nine states to serve on the Economic and Social Council for a three-year term beginning January 1, 1973.

At present, ECOSOC consists of the following twenty-seven members: Algeria, Bolivia, Brazil, Burundi, Chile, China, Finland, France, Haiti, Hungary, Japan, Lebanon, Madagascar, Malaysia, Mali, Mongolia, Netherlands, New Zealand, Niger, Poland, Spain, Trinidad and Tobago, Uganda, USSR, United Kingdom, United States and Zaire.

INTERNATIONAL COURT OF JUSTICE

As a result of independent voting in the General Assembly and the Security Council in October 1972, Isaac Forster (Senegal), André Gros (France), Nagendra Singh (India), José María Ruda (Argentina), and Sir Humphrey Waldock (United Kingdom) were elected members of the International Court of Justice for a nine-year term beginning February 6, 1973.

Thus, as of February 6, 1973, the International Court of Justice is composed of the following fifteen members: Fouad Ammoun (Lebanon), Cesar Bengzon (Philippines), Federico de Castro (Spain), Hardy C. Dillard (United States), Isaac Forster (Senegal), André Gros (France), Louis Ignacio-Pinto (Dahomey), Eduardo Jiménez de Aréchaga

(Uruguay), Manfred Lachs (Poland), Platon D. Morozov (Soviet Union), Nagendra Singh (India), Charles D. Onyeama (Nigeria), Sture Petrán (Sweden), Josú María Ruda (Argentina), and Sir Humphrey Waldock (United Kingdom).

INDUSTRIAL DEVELOPMENT BOARD

The Industrial Development Board is composed of forty-five members. On December 11, 1972 the U.N. General Assembly elected fifteen members to fill vacancies in this Board. The following Member States of the OAS are members of the Industrial Development Board: Argentina, Brazil, Costa Rica, Cuba, Mexico, Peru, United States, Uruguay, Venezuela.

GOVERNING COUNCIL FOR ENVIRONMENTAL PROGRAMS

On December 15, 1972 the General Assembly elected fifty-eight Member States to serve on the fifty-eight-member Governing Council for Environmental Programs. The General Assembly agreed that twenty of the elected members would serve for three years, nineteen for two years and nineteen for one year. It was also agreed that lots would be drawn for the selection of members to serve three years, two years and one year.

Of the members elected to serve on the Council the following are Member States of the OAS: Argentina, Brazil, Chile, Guatemala, Jamaica, Mexico, Nicaragua, Panama, Peru, United States, Venezuela.

On the nomination of the Secretary General, the General Assembly elected by acclamation, on December 15, 1972, Maurice F. Strong, as Executive Director of the Environment Secretariat for a term of four years, beginning January 1, 1973.

SECRETARY GENERAL OF UNCTAD

On the recommendation of the Secretary General, on December 19, 1972 the General Assembly confirmed the extension for one year of the appointment of Manuel Pérez Guerrero as Secretary General of the United Nations Conference on Trade and Development (UNCTAD). The extension will end on March 31, 1974.

**STRENGTHENING THE ROLE OF THE UNITED NATIONS
WITH REGARD TO THE MAINTENANCE OF
INTERNATIONAL PEACE**

In Resolution 2925 (XXVII), adopted on November 27, 1972, the U.N. General Assembly made evident the necessity of strengthening the role of the United Nations in order to attain a more effective contribution from that body in the settlement of international issues in the interest of all peoples and of general peace and security, and urged all Member States to fulfill their obligations under the Charter and, in accordance with its provisions, to implement the resolutions of United Nations organs. It also appealed to all Member States to take full advantage of the framework and means provided by the United Nations for the solution of international issues of common interest.

The Resolution further invited Member States to communicate to the Secretary General not later than June 30, 1973, their views and suggestions on the ways and means for contributing to the strengthening of the role of the United Nations in international life, and requested the Secretary General to prepare a report based on those views and suggestions to be submitted to the General Assembly at its twenty-eighth session.

NON-USE OF FORCE IN INTERNATIONAL RELATIONS

In Resolution 2936 (XXVII), adopted on November 29, 1973, the General Assembly solemnly declared, in the name of the Member States of the Organization, their renunciation of the use or threat of force in international relations, in accordance with the Charter of the United Nations, and the permanent ban on the use of nuclear weapons. It recommended that the Security Council take, as soon as possible, appropriate measures for the full implementation of this declaration of the General Assembly.

OUTER SPACE

Resolution 2915 (XXVII), adopted on November 9, 1972 by the General Assembly, deals with international cooperation in the peaceful uses of outer space. The Assembly expressed its satisfaction at the recent entry into force of the Convention on International Liability for Damage Caused by Space Objects. It noted the significant progress made by the Legal

Sub-Committee on the Peaceful Uses of Outer Space, by approving a substantial part of the draft treaty relating to the Moon, and agreed that the Legal Sub-Committee should, at its next session, pursue, as a matter of priority, its work on the draft treaty relating to the Moon and the draft convention on registration of objects launched into outer space.

The Assembly also cited the progress achieved in international co-operation among Member States, in the field of space research and exploration, particularly the continuing exchange and analysis of lunar material on a broad international basis. It also noted the progress achieved in implementing agreements relating to space communications recently concluded among a number of States, and reiterated the importance of the goal of making satellite communications available to States on a world-wide and non-discriminatory basis, as expressed in General Assembly resolution 1721 D (XVI) of December 20, 1961.

DIRECT TELEVISION BROADCASTING

In Resolution 2916 (XXVII), adopted on November 9, 1972, the General Assembly reaffirmed the common interest of all mankind in furthering the peaceful exploration and use of outer space for the benefit of all States and for the development of friendly relations and mutual understanding among them. It expressed that direct television broadcasting should help to draw the peoples of the world closer together, to increase the exchange of information and cultural values and to enhance the educational level of people in various countries. The Assembly considered it necessary to prepare principles governing the use by States of artificial earth satellites for direct television broadcasting with a view to concluding an international agreement or agreements. It requested the Committee on the Peaceful Uses of Outer Space to undertake the preparation of such principles as soon as possible.

WORLD DISARMAMENT CONFERENCE

By Resolution 2930 (XXVII) of November 29, 1972, the General Assembly invited the Governments of all States to exert further efforts with a view to creating adequate conditions for the convening of a World Disarmament Conference at an appropriate time. A Special Committee on the World Disarmament Conference consisting of thirty-five Member States was established.

CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

In Resolution 2933 (XXVII) of November 29, 1972, the General Assembly reaffirmed the recognized objectives of the effective banning of chemical weapons, and to this end reiterated the request made by the General Assembly to the Conference of the Committee on Disarmament in Resolution 2827 A (XXVI), to continue negotiations, as a matter of high priority, with a view to reaching early agreement on effective measures for the banning of the development, production and stockpiling of chemical weapons and for their destruction. It reaffirmed its hope for the widest possible adherence to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and their Destruction.

NUCLEAR AND THERMONUCLEAR TESTS

In Resolution 2934 (XXVII) of November 29, 1972 the General Assembly stressed again the urgency of halting all nuclear weapon testing in all environments by all States, and deplored that the General Assembly had not yet succeeded in achieving a comprehensive test ban, despite twenty-one successive resolutions on the subject. Once again it urged the Governments of the nuclear-weapon States to bring to a halt all nuclear weapon tests at the earliest possible date, and in any case not later than August 5, 1973, either through a permanent agreement or through unilateral or agreed moratoria.

LAW OF THE SEA

In Resolution 3029 (XXVII) of December 18, 1972, the General Assembly reaffirmed the mandate of the Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction set forth in General Assembly Resolutions 2467 (XXIII) and 2750 (XXV), as supplemented by the present resolution. It requested the Committee, in the discharge of its mandate, to hold two further sessions in 1973, one in New York, beginning in early March, and the other at Geneva, beginning early July, with a view to completing its preparatory work for the Third Conference on the Law of The Sea.

The General Assembly requested the Secretary General to convene the first session of the Third Conference on the Law of the Sea at New

York in November-December 1973, to deal with organizational matters. The second session of the Conference, to deal with substantive matters, to meet at Santiago, Chile, in April-May 1974, and subsequent sessions as necessary, having in mind that Austria has offered Vienna as a site for the Conference for the succeeding year.

In the same resolution the Assembly requested the Secretary General to prepare, on the basis of data and information available, a comparative study of the extent and the economic significance for riparian states, in terms of resources, of the international area that would result from each of the various proposals on limits of national jurisdiction presented so far to the *Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction*. The study is to be submitted at the earliest date possible, and but not later than the opening date of the 1973 summer session of the Committee.

UNITED NATIONS UNIVERSITY

By Resolution 2951 (XXVII) adopted on December 11, 1972, the General Assembly agreed to the establishment of an international university under the auspices of the United Nations, to be known as the United Nations University.

It further agreed that the United Nations University should be guided, *inter alia*, by the following objectives and principles: a) The concept of the University should be that of a system of academic institutions, and not of an inter-governmental organization; b) close coordination should be maintained between the activities of UNESCO, the United Nations Institute for Training and Research and other organizations of the United Nations system and those of the University; c) binding guarantees, under law, of academic freedom and autonomy should be written into the charter of the University; d) selection procedures should be established so as to ensure the highest intellectual and moral quality of the University personnel; e) the structure of the University should consist of a programming and coordinating central organ and a decentralized system of affiliated institutions, integrated into the world's university community, devoted to action-oriented research into the pressing global problems of human survival, development and welfare matters of concern to the United Nations and its agencies, and to post-graduate training of young scholars and research workers for the benefit of the world community; f) the programs of research of the University should

include, among others, the coexistence between peoples of different cultures, languages and social systems, peaceful relations between States and the maintenance of peace and security, human rights, economic and social change and development, the environment and the proper use of resources, basic technology in the interest of development; g) capital costs and recurrent costs of the University should be met from voluntary contributions of: i) Governments directly or through specialized agencies of the United Nations; ii) non-governmental sources including foundations, universities and individuals.

The Assembly requested the Secretary General, acting in close cooperation with the Director General of UNESCO, to establish a Founding Committee of the United Nations University to define further the objectives and principles of the University and to draft its charter. It also requested the Secretary General to commence efforts for raising the necessary funds in order to permit the launching of the United Nations University at the earliest possible date and to make recommendations to the General Assembly concerning the location of the programming and coordination center and the other institutions.

LAND-LOCKED DEVELOPING COUNTRIES

In Resolution 2971 (XXVII) of December 14, 1972, the General Assembly invited the developed countries, the United Nations Development Program and other competent international organizations to provide technical and/or financial assistance to land-locked developing countries for feasibility studies and investment to assist them, at their request, in their economic development. It further invited the United Nations Development Program to undertake operational activities in the field of industrial surveys to help these countries, at their request, on a national, subregional or regional basis to evaluate structure, operation, development possibilities and their future needs in the field of industrial development.

GOVERNING COUNCIL FOR ENVIRONMENTAL PROGRAMS

Resolution 2997 (XXVII) of December 15, 1972, calls for the establishment of a Governing Council for Environmental Programs composed of fifty-eight members elected by the General Assembly for three-year terms, on the following basis:

- (a) Sixteen seats for African States;

- (b) Thirteen seats for Asian States;
- (c) Ten seats for Latin American States;
- (d) Thirteen seats for Western Europe and other States;
- (e) Six seats for Eastern European States.

The Resolution sets forth the Governing Council's main functions and responsibilities as follows: a) To promote international cooperation in the environmental field and to recommend, as appropriate, policies to this end; b) to provide general policy guidance for the direction and coordination of environmental programs within the United Nations system; c) to receive and review the periodic reports of the Executive Director on the implementation of environmental programs within the United Nations system; d) to keep under review the world environmental situation; e) to promote the contribution of the relevant international scientific and other professional communities for the acquisition, assessment and exchange of environmental knowledge and information; f) to maintain under continuing review the impact of national and international environmental policies and measures on developing countries; g) to review and approve annually the program of utilization of resources of the Environment Fund.

The Governing Council is to report annually to the General Assembly through the Economic and Social Council.

The same resolution calls for the establishment of a small secretariat in the United Nations to serve as a focal point for environmental action and coordination within the United Nations system. It also establishes a voluntary environmental fund in order to provide for additional financing for environmental programs, and an Environmental Coordinating Board, under the chairmanship of the Executive Director. The Board will function under the auspices and within the framework of the Administrative Committee on Coordination.

Resolution 3004 (XXVII) of December 15, 1972, calls for the establishment of the environment secretariat in Nairobi, Kenya.

OUTFLOW OF TRAINED PERSONNEL FROM DEVELOPING TO DEVELOPED COUNTRIES

In Resolution 3017 (XXVII) of December 18, 1972, the General Assembly invited the Secretary General, in cooperation with the pertinent

organizations of the United Nations system, and taking due note of the report on the subject prepared by the Secretary General of UNCTAD plus the work of UNITAR, the Advisory Committee on the Application of Science and Technology to Development and other interested bodies, and in consultation with the Member States concerned, to prepare a study on the outflow of trained personnel from developing countries which affects their technological development, bringing out the negative consequences in those countries and the advantages reaped by the industrialized countries, specifying the mechanics of that outflow and identifying the countries to which it is directed.

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

In Resolution 3041 (XXVII) of December 19, 1972, the General Assembly recognized Resolutions 82 (III) on multilateral trade negotiations and 84 (III) on the international monetary situation, adopted by UNCTAD at its third session held in Santiago, Chile, in April–May 1972, and reaffirmed that the developing countries should participate fully, effectively and continuously in all stages of the multilateral trade negotiations and in the decision-making process of the international monetary system and its reform, notably through their participation in the Committee of Twenty of the International Monetary Fund and forthcoming multilateral trade negotiations, to ensure that full consideration is given to their specific interests. The Assembly endorsed the recommendation of UNCTAD that, because of their interdependence, the monetary, trade and financial problems should be resolved in a coordinated manner, with the full participation of developed and developing countries.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

In Resolution 2906 (XXVII) of October 19, 1972, the General Assembly reaffirmed its adherence to the principles, values and ideals contained in the Universal Declaration of Human Rights, and reiterated the hope that the twenty-fifth anniversary of the Declaration will be celebrated by the world community in a manner fitting the occasion and serving the cause of human rights.

UNITED NATIONS COMMISSION
ON INTERNATIONAL TRADE LAW
(UNCITRAL)

Resolution 2928 (XXVII) of November 28, 1972, takes note of the report of UNCITRAL on the work carried out in its fifth session held in April–May 1972, and commends UNCITRAL for its work. The Assembly noted with satisfaction the completion of the draft articles for a convention on prescription (limitation) in the international sale of goods.

In the same resolution, the Assembly recommended that UNCITRAL should: a) Continue to pay special attention to priority topics, i.e., the international sale of goods, international payments, international commercial arbitration, and international legislation on shipping; b) accelerate its work on training and assistance in the field of international trade law, with special regard to developing countries; c) continue to collaborate with international organizations active in the field of international trade law; d) continue to give special consideration to the interests of developing countries and to bear in mind the special problems of land-locked countries; e) keep its program of work and its working methods under constant review.

Moreover, the Assembly invited UNCITRAL to seek from the Governments and interested international organizations, information relating to legal problems presented by the different kinds of multinational enterprises, and the implications thereof on the unification and harmonization of international trade law, and to consider, in the light of this information and the results of available studies, including those by the International Labor Organization, UNCTAD and ECOSOC what further steps would be appropriate in this regard.

UNITED NATIONS CONFERENCE ON PRESCRIPTION
(LIMITATION) IN THE INTERNATIONAL SALE OF GOODS

By Resolution 2929 (XXVII) adopted on November 28, 1972, the General Assembly expressed its appreciation to UNCITRAL for its valuable work on prescription in the international sale of goods. The Resolution calls for an international conference in 1974, to consider the question of prescription (limitation) in the international sale of goods and to embody the results of its work in an international convention and such other instruments as it may deem appropriate.

INTERNATIONAL LAW COMMISSION

Resolution 2926 (XXVII) of November 28, 1972, deals with the report of the International Law Commission on the work of its twenty-fourth session (1972).

The Assembly recommended that the International Law Commission should: a) Continue its work on State responsibility; b) continue to consider the subject of succession of States with respect to treaties in the light of comments received from Member States on the existing draft; c) continue the work on the succession of States in respect to matters other than treaties; d) continue the study of the most-favored nation clause; and e) continue the study of the question of treaties concluded between States and international organizations, or between two or more international organizations. The Assembly noted that the International Law Commission intends, in the discussion of its long-term program of work, to decide upon the priority to be given to the topic of the non-navigational uses of international watercourses, as requested by the General Assembly in Resolution 2780 (XXVI).

Furthermore, the Assembly recommended that, in conjunction with future sessions of the International Law Commission, other seminars might be organized, which should continue to ensure the participation of an increasing number of jurists of developing countries.

The Assembly invited States and specialized agencies and interested inter-governmental organizations to submit, as soon as possible, written comments and observations on the draft articles prepared by the International Law Commission concerning the prevention and punishment of crimes against diplomatic agents and other internationally protected persons. It also requested the Secretary General to circulate the comments and observations received to facilitate consideration of the draft articles by the General Assembly at its twenty-eighth session.

In Resolution 2927 (XXVII) of November 28, 1972, the General Assembly commended the International Law Commission and all the attorneys who have participated in the work of the commission for the outstanding contribution to the codification and progressive development of international law. It recommended that the twenty-fifth anniversary of the Commission should be observed in an appropriate manner by the General Assembly during its twenty-eighth session.

REPRESENTATION OF STATES IN THEIR RELATIONS WITH INTERNATIONAL ORGANIZATIONS

The International Law Commission, during its twenty-third session held in 1971, revised the draft articles on the subject.

At its 1972 session, the General Assembly, by Resolution 2966 (XXVII) of December 14, 1972, decided to convoke an international conference of plenipotentiaries as soon as practicable, to consider the draft articles on the representation of States in their relations with international organizations and to embody the results of its work in an international convention and such other instruments as it may deem appropriate.

PREVENTION OF INTERNATIONAL TERRORISM

In Resolution 3034 (XXVII) of December 19, 1972, the General Assembly expressed deep concern over increasing acts of violence which endanger or take innocent human lives, or jeopardize fundamental freedoms. It urged States to devote their immediate attention to finding just and peaceful solutions to the underlying causes which give rise to such acts of violence. It reaffirmed the inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination. It condemned the continuation of repressive and terrorist acts by colonial racist and alien regimes which deny peoples their legitimate right to self-determination and independence.

The Assembly invited States to become parties to the existing international conventions which relate to various aspects of the problem of international terrorism. It also invited States to take all appropriate measures at the national level, with a view to the speedy and final elimination of the problem, and to consider the subject-matter urgently and submit observations to the Secretary General by April 10, 1973, including concrete proposals for finding an effective solution to the problem. It also decided to establish an ad hoc committee to consider the observations submitted by the States and to present its report to the General Assembly at its twenty-eighth session.

CHARTER OF THE UNITED NATIONS

The General Assembly Resolution 2968 (XXVII) of December 4, 1972, requested the Secretary General to invite Member States that have

not already done so to submit, before July 1, 1974, their views on the desirability of a review of the Charter of the United Nations and their suggestions on the subject. It also requested the Secretary General to present to the General Assembly at its twenty-ninth session a report setting forth the views and suggestions submitted to him by Member States.

ADMINISTRATIVE MACHINERY OF THE UNITED NATIONS

Resolution 2924 (XXVII) of November 24, 1972, of the General Assembly calls for the continuance of the Joint Inspection Unit for a further period of four years beyond December 31, 1973. It also calls for the review, at the thirty-first session, of the machinery of the United Nations and of its system for administrative and budgetary control, investigation and coordination. For this purpose, the Assembly requested the views of the Secretary General as chief administrative officer of the United Nations and as Chairman of the Administrative Committee on Coordination, and the views of the governing bodies of the specialized agencies, the Economic and Social Council, the Committee for Program and Coordination and the Joint Inspection Unit, as well as the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions.

The Assembly also recommended the evaluation, during its thirty-first session, of the work of the Joint Inspection Unit and reaffirmed the terms of reference of the Unit. It recommended further that the term of office of the Inspector should be four years, with the possibility of reappointment.