

University of Miami Law School Institutional Repository

University of Miami Inter-American Law Review

6-1-1970

Regional and International Activities

I. Zanotti

Follow this and additional works at: <http://repository.law.miami.edu/umialr>

Recommended Citation

I. Zanotti, *Regional and International Activities*, 2 U. Miami Inter-Am. L. Rev. 229 (1970)

Available at: <http://repository.law.miami.edu/umialr/vol2/iss2/6>

This Report is brought to you for free and open access by Institutional Repository. It has been accepted for inclusion in University of Miami Inter-American Law Review by an authorized administrator of Institutional Repository. For more information, please contact library@law.miami.edu.

REGIONAL AND INTERNATIONAL ACTIVITIES

ISIDORO ZANOTTI
*Chief, Division of Codification
and Legal Integration
Department of Legal Affairs
Organization of American States*

ORGANIZATION OF AMERICAN STATES

PROTOCOL OF BUENOS AIRES

On February 27, 1970 the Protocol of Amendments to the Charter of the Organization of American States (OAS), "Protocol of Buenos Aires" of 1967, entered into force. On that date at special ceremonies held in Washington, D.C., the representatives of Bolivia, Colombia, Honduras, Jamaica and Peru deposited, on behalf of their Governments, the instruments of ratification of the Protocol of Buenos Aires. These acts brought to 18 the number of deposits of instruments of ratification of the said Protocol, more than the required two-thirds majority for the Protocol to enter into force.

A message from President Nixon stated, among other things, that the revisions of the Charter of the OAS "will accomplish three things: They will strengthen the structure of the Organization so that it may more effectively serve our common goals under the changing conditions of our time; they will give greater emphasis to the basic principles and goals which guide our efforts under the Alliance for Progress; and they will enhance the Organization's ability to help member states settle their disputes peacefully. . . . I believe it is urgent now for all members of the Organization to resolve to give new life to the words of the Charter, and to work unstintingly to make the inter-American system responsive to the needs of our people. I pledge the unswerving effort of the United States to this end."

In turn, the Secretary General of the OAS, expressed that "The Preamble of the Protocol reminds us that the Charter of Bogota of 1948 'set forth the purpose of achieving an order of peace and justice, promoting solidarity among the American States, strengthening their collaboration and defending their sovereignty, their territorial integrity, and their independence. The record of the last twenty years shows that the OAS has fulfilled this mission and is capable of continuing to do so in the future. As

any human institution, the OAS must evolve to meet new demands that arise over the years. That is why the Second Special Inter-American Conference, held in Rio de Janeiro in 1965, declared that it was essential to forge a new dynamism for the inter-American system and imperative to modify the working structure of the Organization, as well as to establish in the Charter new objectives and standards for the promotion of the economic, social and cultural development of the peoples of the Hemisphere, and to speed up the process of integration". He also stated that "the OAS is in tune with the times, and has been transformed into a more effective instrument to accelerate the process of economic development as a means of achieving social justice."

As of March 31, 1970 nineteen Member States had deposited their instruments of ratification of the Protocol of Buenos Aires. The ratification by Barbados is the latest.

Following is a resumé of some of the changes made by the Protocol of Amendments to the OAS Charter, the so-called Charter of Bogota of 1948.

The chapters of the Charter of Bogota dealing with economic, social, educational, scientific and cultural standards were completely revised, and expanded. These reforms embody the main standards and goals of the Alliance for Progress.

No changes, however, were made on the articles concerning the nature, purposes, principles, fundamental rights and duties of States, pacific settlement of disputes, and collective security.

The chapters dealing with the structure of the OAS and the functions of its principal organs were substantially modified in order to make the OAS a more dynamic institution.

The General Assembly of the OAS replaces the Inter-American Conference. It is the supreme organ of the Organization, and it has, among others, the powers to decide OAS policy and action, to coordinate the work of all the organs of the OAS, and to approve the program-budget of the Organization.

The Meeting of Consultation of Ministers of Foreign Affairs has the same functions as provided for in the Charter of Bogota. The articles pertaining to this organ did not suffer any modification.

The three Councils are of equal rank and directly responsible to the General Assembly: (a) The Permanent Council of the Organization has

assumed the responsibilities of the original Council of the OAS, with the exception of those duties delegated to the General Assembly, and will act as the Preparatory Committee of the Assembly until the latter decides otherwise. (b) The Inter-American Economic and Social Council will continue as coordinating agency for all economic and social activities of the OAS, with greater authority. (c) The Inter-American Council for Education, Science and Culture assumes the functions of the former Inter-American Cultural Council, with expanded responsibilities.

The structure of the Inter-American Juridical Committee was modified and its functions were considerably expanded. It is now the principal juridical body of the OAS and it is under the authority of the General Assembly. The Inter-American Council of Jurists has ceased to exist.

The Inter-American Commission of Human Rights, also under the authority of the General Assembly, will continue to function as it is presently organized until the entry into force of the American Convention of Human Rights of San José signed in Costa Rica in November 1969.

The General Secretariat is the central and permanent organ of the OAS and its seat continues to be in the city of Washington, D.C. The name of "Pan American Union" is replaced by "General Secretariat". The Secretary General is directly responsible to the General Assembly for the fulfillment of the obligations and functions of the General Secretariat and, therefore, reports directly to the Assembly. The Secretary General and the Assistant Secretary General are elected by the General Assembly for five-year terms, and may not be reelected more than once or succeeded by a person of the same nationality.

All these organs are called the principal organs of the OAS. In this category are also included the Inter-American Specialized Conferences and the Specialized Organizations.

The Inter-American Committee for the Alliance for Progress (CIAP) shall act as the executive committee of CIES as long as the Alliance for Progress is in operation. The Inter-American Council for Education, Science and Culture has also an executive committee (CECIECC).

The Permanent Council of the OAS, in the fulfillment of its new functions concerning the peaceful settlement of disputes, will be assisted by the Inter-American Committee on Peaceful Settlement (CISP, from the initials of the Spanish title of the Committee), a body created by the Protocol of Buenos Aires.

In the miscellaneous provisions, there is a new principle, according to which the attendance at meetings of the permanent organs of the OAS or at the conferences and meetings provided in the Charter, or held under the auspices of the OAS, shall be in accordance with the multilateral character of the aforesaid organs, conferences and meetings and shall not depend on the bilateral relations between the Government of any Member State and the Government of the host country.

The General Secretariat of the OAS has published a document containing the Charter of the OAS as amended by the Protocol of Buenos Aires of 1967.

GENERAL ASSEMBLY

The Permanent Council of the OAS, at its meeting held on March 18, 1970, decided to convoke the first special session of the General Assembly of the OAS to be held in the city of Santo Domingo, Dominican Republic, starting on June 20, 1970. In this session according to present information, the General Assembly will be specially concerned with the following topics: Approval of the Agenda of the session and the Regulations of the General Assembly; approval of the statutes of the following organs of the OAS: Permanent Council, Inter-American Economic and Social Council, Inter-American Council for Education, Science and Culture, Inter-American Juridical Committee, Inter-American Committee on Peaceful Settlement. It will also be concerned with the adoption of the general standards for the General Secretariat of the OAS, the approval of the Program and Budget of the Organization for the fiscal year beginning July 1, 1970, the election of the eleven members of the Inter-American Juridical Committee, and the determination of the place and date for the next meeting of the General Assembly.

THE PERMANENT COUNCIL AND THE GENERAL SECRETARIAT

At a meeting held on March 9, 1970 the Permanent Council of the OAS adopted a resolution on the standards that shall govern its functioning until approval of its Statute by the General Assembly of the OAS.

On the same date the Permanent Council approved another resolution on the standards that shall govern the General Secretariat until the General Assembly of the OAS adopts the standards pertaining thereto.

IA-ECONOMIC
AND SOCIAL COUNCIL (CIES)

The Eighth Special Meeting of the Inter-American Economic and Social Council (CIES) at the Ministerial Level was held in Caracas from February 3 to 6, 1970 to deal with the two following main subjects: (a) consider and decide on the conclusions and recommendations presented by the Special Committee, whose mission was to prepare the bases and propose suitable instruments of action of a new policy to strengthen hemisphere cooperation, and (b) establish or promote the establishment of such mechanisms within the inter-American system as may be necessary for their implementation.

At this meeting, CIES decided to establish at the ministerial level a special committee for consultation and negotiation, to be composed of representatives of all Member States of the OAS; its duration shall be indefinite. The new committee will serve as an instrument for consultation and negotiation between the Latin American countries and the United States of America within the framework of a new policy which will strengthen hemisphere cooperation for development in the spirit of the Consensus of Viña del Mar and of the proposals of the United States of America. The Committee is charged with establishing a continuing process of negotiation for the purpose of arriving at effective solutions to the economic and social problems which hinder Latin America's development and which affect the welfare of the Hemisphere. To this end, it shall institute action programs in accordance with goals and time periods to be established, and set the necessary priorities. The Committee will also give immediate attention to emergency situations.

The special committee shall meet regularly at least twice a year, but it can hold special meetings.

The aforementioned resolution of CIES gives different functions to the special committee in the areas of trade, transportation and tourism, and in the field of financing. Among others, it will exercise the following functions:

Hold consultations whenever a member state of the inter-American system considers that the United States of America has violated international standstill commitments assumed by developed countries; review the restrictions adopted by the United States since November 1963 which unfavorably affect imports of products from Latin America with a view to reaching satisfactory solutions; conduct consultations between the United

States of America and the Latin American countries prior to adoption by the former of measures that might adversely affect imports from Latin America, or that might adversely affect Latin American exports to third countries; review the system of assignment of unilateral or "voluntary" quotas which may be established or negotiated by the United States in order that the developing countries may obtain the largest possible share in the increased imports resulting from the expanded consumption in that country; coordinate the actions of the member states of the system in international forums in order to: achieve and ensure effective compliance with the standstill commitments; cause existing consultation machinery or the consultation machinery that might be set up for the same purpose to go into operation prior to the adoption of tariff and non-tariff measures that might represent a step backward in the treatment accorded the importation of products originating in the developing countries of the system; seek the prompt removal of all tariff and non-tariff restrictions affecting the access and marketing of basic manufacturer or semimanufactured products whose exportation is of interest to Latin America.

The special committee has also the following functions: To analyze the incidence of increases in operational costs occurring outside the Latin American area on freight rates that may affect exports of special interest to the countries of that region; to further the improvement of port and harbor services and transport infrastructure services in general; and to promote specific programs that can contribute to the accelerated development of tourism in Latin America.

In the field of financing, the special committee will have, among others, the following duties: to establish and review procedures to increase, under appropriate conditions, the volume of external financing for Latin America development, based on studies and suggestions submitted by the Inter-American Committee on the Alliance for Progress (CIAP), and to hold consultations in this field; to hold consultations on measures that might adversely affect the access of Latin American countries to the capital markets of the developed countries; to reach conclusions and make recommendations on increasing the financial and technical support of the United States for programs to promote Latin American exports.

Several recommendations on Joint Action are included in Appendix A to the resolution of CIES.

At its Eighth Special Meeting, CIES also approved a schedule of activities of the special committee for consultation and negotiation, it took note of the offer of an initial contribution of the United States of America

of three million dollars to strengthen the technical staff and the missions within the scope of CIAP and/or the Inter-American Development Bank.

CIES approved three documents dealing with the following subjects: 1) external financing; 2) technical cooperation, and 3) scientific and technological development. These documents are appended to the Final Report of the Meeting.

The document on external financing contains, among others, the following recommendations: That the necessary decisions should be made to increase significantly the Fund for Special Operations and the ordinary capital resources of the Inter-American Development Bank (LDB); that the IDB and other external financial agencies should include the possibility of granting loans by programs, either overall or sectional; to encourage the International Development Association (IDA) to increase the amount of its loans to Latin America. The Delegation of the United States announced that its government is making available to the Latin American countries and to the Inter-American Export Center the advisory services of its Export-Import Bank with a view to the establishment or strengthening of similar institutions in the area. Effective financial support for the accomplishment of multinational projects and programs which are aimed at promoting the economic integration of the Latin American countries was also recommended.

CIES indicated that it was aware that the free and increasing access of the Latin American countries to the capital markets of the developed countries is of great importance to achieve a sustained growth in the volume of external financing for development.

CIES expressed its satisfaction with the offer made by the Government of the United States to grant up to five million dollars to the OAS Secretariat, as a special fund, whose programs and utilization would be under the supervision of CIAP, to finance studies on national capital markets that would be entrusted to high-level experts. On the other hand, CIES took note of another offer also made by the United States to donate fifteen million dollars to finance, in Latin America, the preparation of investment and preinvestment projects that could be financed wholly or in part with external loans. This fund is to be administered by the IDB with CIAP participating with respect to priorities.

On the question of technical cooperation, CIES recommended that the national coordinating agencies adopt the practice of preparing technical cooperation programs on a multiyear basis, and that greater emphasis should be given to carrying out technical cooperation programs by multi-

national means, and that emphasis should also be given to technical cooperation among Latin American countries.

In the field of scientific and technical development, CIES expressed that the adoption of new operating instruments within the context of the Consensus of Viña del Mar the creation in the United States of a new organ to channel scientific and technology matters of interest to Latin America and the recent adoption in some countries of financial incentives for scientific and industrial research activities were important advances already achieved. CIES considered that the member governments should: achieve the best use of institutional and human resources in science and technology for the overall development of the region; disseminate information on the activities in the field of science and technology presently underway in the region; facilitate meetings of science and technology experts, management and science policy officials. CIES stressed the importance of initiating as soon as possible a broad effort to increase the sources of financing for science and technology to make it possible to attain the investment goals set for the countries of the region. To this end, it suggested that the member governments start action designed to: vigorously promote the scientific and technological process by increasing the resources assigned to national programs; increase the support granted to the Special Multilateral Fund of the Inter-American Council for Education, Science and Culture; strengthen and expand the scientific and technological aspects of bilateral cooperation programs; adopt measures designed to promote investments in science and technology in Latin America by national and foreign enterprises; encourage the private sector to increase its participation in scientific and technological research.

PRIVILEGES AND IMMUNITIES

The Council of the OAS, at its meeting held on August 21, 1969, decided to transmit a draft Agreement on Privileges and Immunities of the OAS to the governments of the Member States for their consideration. This draft agreement was prepared by a Working Group of the Committee on Juridical-Political Affairs of the Council. As of March 31, 1970 six Governments had submitted their comments.

INTER-AMERICAN CONFERENCE ON AGRICULTURE

The Council of the OAS, at its meeting held on November 21, 1969, decided: (a) to convoke the Sixth Inter-American Conference on Agri-

culture; (b) to express its thanks for and accept the generous offer of the Government of Peru to be host to the said Conference in the city of Lima; (c) to request the General Secretariat of the OAS to take the measures necessary for the holding of this conference as soon as possible and, in consultation with the Government of Peru, to propose a date for the meeting; (d) to request the General Secretariat of the OAS, in consultation with Inter-American Institute of Agricultural Sciences (IICA), to prepare a preliminary draft agenda and regulations for the Conference.

INTER-AMERICAN CONFERENCE ON COMMUNITY DEVELOPMENT

The Council of the OAS on February 25, 1970 decided: (a) to convoke an Inter-American Conference on Community Development, with the character of an Inter-American specialized conference; (b) to thank the Government of Chile and to accept its offer to be host to the conference in the city of Santiago; (c) to authorize the General Secretariat, in consultation with the government of the host country, to set the dates for holding of the Conference.

U.S.-NICARAGUA CANAL TREATY

On March 4, 1970 the United States and Nicaragua agreed to negotiate the future of the Bryan-Chamorro Treaty under which the United States acquired the right to build an inter-oceanic canal across Nicaragua. The treaty, originally signed in 1914, may come to an end unless the United States shows positive interest in carrying out the original objective of the agreement.

U.S.-MEXICO DRUG PACT

In October, 1969 the United States and Mexico signed an agreement in an attempt to halt the smuggling of narcotics across the border. Under the agreement, Mexico is to receive \$1 million for equipment and technical aid consisting of aircraft, helicopters, chemicals, sensors and communication equipment.

BRASILIA

With the transfer of the Foreign Ministry from Rio to Brasilia in April, 1970, the Brazilian government continued to insist on the move of foreign embassies to the latter city. Credentials are now presented in Brasilia even though only five countries (U.S. is one of them) have com-

pleted construction of their embassies. A recent decree extended until June 1, 1972 the beneficial conditions under which foreign diplomats may acquire residential real estate in Brasilia.

VENEZUELA/GUYANA BORDER CONTROVERSY¹

The border dispute between Guyana and Venezuela may have to be submitted to arbitration. A commission established in 1966 to settle the dispute has not reached a solution, and a 1966 agreement states that if there is no settlement after four years the governments shall resort to Article 33 of the U.S. Charter for a solution.

THE UNITED NATIONS

SECURITY COUNCIL

On October 20, 1969 the General Assembly of the United Nations elected five countries to serve on the Security Council for a two-year term beginning January 1, 1970.

The Security Council is now composed of the following 15 members: Burundi, China, Colombia, Finland, France, Nepal, Nicaragua, Poland, Sierra Leone, Spain, Syria, USSR, United Kingdom, United States, and Zambia. Of these countries, three are Member States of the OAS: Colombia, Nicaragua and the United States.

ECONOMIC AND SOCIAL COUNCIL

On October 20, 1969 the UN General Assembly elected nine countries to serve on the Economic and Social Council for a three-year term beginning January 1, 1970.

The ECOSOC has 27 members. Of these, six are Member States of the OAS: Argentina, Brazil, Jamaica, Peru, United States, and Uruguay.

INDUSTRIAL DEVELOPMENT BOARD

The Industrial Development Board is composed of 45 members. On November 21, 1969, the UN 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: Brazil, Chile, Cuba, Mexico, Peru, Trinidad and Tobago, United States, Uruguay and Venezuela.

INTERNATIONAL COURT OF JUSTICE

Election of five members of the Court. As a result of independent voting in the General Assembly and the Security Council in October, 1969, Federico de Castro (Spain), Hardy C. Dillard (United States) Louis Ignacio-Pinto (Dahomey), Eduardo Jiménez de Aréchaga (Uruguay) and Platon D. Morosov (Soviet Union) were elected members of the Court for a nine-year term beginning February 6, 1970.

As of February 6, 1970, therefore, the International Court of Justice is composed of the following 15 members: Sir Gerald Fitzmaurice (United Kingdom), Muhammad Zafrullah Kahn (Pakistan), Luis Padilla Nervo (México), Issac Forster (Senegal), André Gros (France), Fouad Ammoun (Lebanon), Cesar Bengzon (Philippines), Sture Petré (Sweden), Manfred Lachs (Poland), Charles D. Onyeama (Nigeria), and the five members mentioned above.

Amendments to the Statute of the I.C.J. In Resolution 2520 (XXIV) of December 4, 1969 the UN General Assembly decided that: (a) A State which is a party to the Statute of the International Court of Justice, but is not a member of the United Nations, may participate in the General Assembly in regard to amendments to the Statute in the same manner as the Members of the United Nations; (b) Amendments to the Statute of the International Court of Justice shall come into force for all States which are parties to the Statute when they have been adopted by a vote of two thirds of the States which are parties to the Statute and ratified in accordance with their respective constitutional processes by two thirds of the States which are parties to the Statute and in accordance with the provisions of Article 69 of the Statute and Article 108 of the Charter of the United Nations.

Barcelona Traction Case. In February, 1970, the Court delivered Judgment in the second phase of the case concerning the Barcelona Traction, Light and Power Company (Belgium v. Spain); the Court rejected Belgium's claim by fifteen votes to one. The claim, which was brought before the Court on 19 June 1962, arose out of the adjudication in bankruptcy in Spain of Barcelona Traction, a company incorporated in Canada. Its object was to seek reparation for damage alleged by Belgium to have been sustained by Belgium nationals, shareholders in the company, as a result of acts said to be contrary to international law committed towards the company by organs of the Spanish State. The Court found that Belgium lacked *jus standi* to exercise diplomatic protection of shareholders

in a Canadian company with respect to measures against that company in Spain.

CONFERENCE ON THE PEACEFUL USES OF ATOMIC ENERGY

The UN General Assembly, in Resolution 2575 (XXIV) of December 15, 1969, decided to request the Secretary-General, with the continuing assistance of the United Nations Scientific Advisory Committee, in close cooperation with the International Atomic Energy Agency (IAEA) and in consultation with appropriate specialized agencies, to continue preparations for the Fourth International Conference on the Peaceful Uses of Atomic Energy to be held in Geneva for eight or nine working days on convenient dates in 1971.

SEA-BED AND OCEAN FLOOR

Resolution 2574 (XXIV) of December 15, 1969 of the UN General Assembly is concerned with the question of the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind. Resolution 2574 is covered at depth in the report of the OCEANS in this issue of the *Lawyer of the Americas*.

OUTER SPACE

In Resolution 2600 (XXIV) of December 16, 1969 the UN General Assembly expressed the desire that earth resources survey satellite programs be available to produce information for the world community as a whole, and invited Member States with experience in the field of remote earth resources surveying to make such experience available to Member States not having such experience so that they could become knowledgeable in this field. It also invited the Secretary General to bring this resolution to the attention of all organizations within the United Nations family of agencies whose objectives or programs might be furthered by this developing technology.

The UN General Assembly, by Resolution 2601 (XXIV), part A adopted on December 16, 1969, requested the Committee on the Peaceful Uses of Outer Space to continue to study questions relative to the definition of outer space and the utilization of outer space and celestial bodies, in-

cluding various implications of space communications. It invited those countries which have not yet become parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, and the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, to give consideration to ratifying or acceding to those agreements so that the agreements could have the broadest possible effect.

The General Assembly, furthermore, reaffirmed its belief, as expressed in its resolution 1721 D (XVI) of December 20, 1961, that communication by means of satellites should be available to the nations of the world as soon as practicable on a global and non-discriminatory basis. It took note of the two reports of the Working Group on Direct Broadcast Satellite and requested the Committee on Peaceful Uses of Outer Space, at its 1970 session, to consider the agenda for the session of the Working Group which is to deal with the implication of direct broadcast satellites in social, cultural, legal and other areas. The Assembly also welcomed the efforts of Member States to share with other interested Member States the space ventures and the practical benefits which may be derived from programs in space technology.

The General Assembly, on the other hand, requested UNESCO, the ITU and other interested specialized agencies, the United International Bureau for the Protection of Intellectual Property, as well as broadcasting organizations, to prepare reports as basic documents for the work of the Working Group. It also requested the specialized agencies and the IAEA to examine the problems which arise from the use of outer space in the fields within their competence.

In part B of the same resolution 2601, the General Assembly regretted that the Committee on Peaceful Uses of Outer Space had not yet been able to complete the drafting of a liability convention, a task assigned to it by the General Assembly during the last six years. It also emphasized that the convention is intended to establish international rules and procedures concerning liability for damage caused by the launching of objects into outer space and to ensure, in particular, the prompt and equitable compensation for damage.

DISARMAMENT

In Resolution 2602 (XXIV) of December 16, 1969, part C, the UN General Assembly invited the Conference of the Committee on Disarma-

ment to consider, without prejudice to existing priorities, effective methods of control against the use of radiological methods of warfare conducted independently of nuclear explosions, and recommended to the same Conference to consider, in the context of nuclear arms control negotiations, the need for effective methods of control of nuclear weapons that maximize radioactive effects. It also requested the Conference to give consideration to the implications of the possible military applications of laser technology.

In the same resolution, part E, the General Assembly declared the Decade of the 1970s as a Disarmament Decade. It called on Governments to intensify without delay their efforts with regard to effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament and the elimination of other weapons of mass destruction.

In its part F, the resolution welcomed the submission to the General Assembly at its twenty fourth session of the "Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and the Subsoil Thereof" annexed to the Report of the Conference of the Committee on Disarmament. It called upon the Conference to take into account all proposals and suggestions that have been made at the twenty-four sessions of the General Assembly and to continue its work on this subject so that the text of a draft treaty can be submitted to the General Assembly for its consideration.

CONFERENCE OF NON-NUCLEAR WEAPONS STATES

The UN General Assembly, in Resolution 2605 (XXIV) of December 16, 1969, part A, noted with appreciation that the International Atomic Energy Agency (IAEA) has had underway or has initiated several activities that are directly responsive to several resolutions adopted by the Conference of Non-Nuclear Weapons States. It invited the IAEA, the United Nations Development Program, the International Bank for Reconstruction and Development and the interested specialized agencies to take further appropriate action on the recommendations of the said Conference in planning and carrying out their activities. The resolution also commended the Secretary-General's report on the possible contributions of nuclear technology to the economic and scientific advancement of the developing countries. It drew the attention of the international sources of finance to the recommendations contained in the said report

which expressed the hope that they review the position taken on the prospects, criteria and conditions for financing major nuclear projects.

In part B of this resolution the General Assembly indicated that it had reviewed the report on the establishment within the framework of IAEA of an international service for nuclear explosions for peaceful purposes under appropriate international control, which the Secretary General prepared in compliance with resolution 2456 C (XXIII) of December 20, 1968. It invited the nuclear-weapon states to continue to make available to IAEA full and current information concerning the technology of applying nuclear explosions to peaceful uses for the benefit of all its members. Furthermore, it suggested that the IAEA continue to give attention over the next year to the convening of further technical meetings to discuss the scientific and technical aspects of this technology and that the Agency initiate studies on the character of the international observations that it might perform pursuant to article V of the Treaty on the Non-Proliferation of Nuclear Weapons.

INTERGOVERNMENTAL TOURISM ORGANIZATION

The UN General Assembly, in Resolution 2529 (XXIV) of December 5, 1969 expressed the belief that a formula that would allow agreement to be reached more readily among Governments for the establishment of an international tourism organization of an intergovernmental character, particularly to assist the developing countries, would be: (a) The conversion of the International Union of Official Travel Organizations into an international organization of an intergovernmental character through a revision of its statutes; (b) the establishment of operational links between the United Nations and the transformed Union by means of a formal agreement. It recommended to those States whose national official tourist organizations are members of the Union to take joint action at its forthcoming extraordinary General Assembly to amend the statutes of the Union in order to give the organization an international character.

Furthermore, the UN General Assembly decided, once the statutes of the Union have been changed, that: (a) an agreement between the United Nations and the Union should be concluded which would establish close cooperation and relationship between the UN and the transformed Union; (b) the Union would function as an executing agency of the UN Development Program to participate in the activities of the Program in order to assist in the preparation and implementation of technical assistance and pre-investment projects in the field of tourism, financed

by the Program; (c) necessary procedures should be prepared to enable the Union to submit, for the consideration of the Economic and Social Council, recommendations and proposals relating to international agreements to be drawn up in the field of tourism.

DECLARATION ON SOCIAL PROGRESS AND DEVELOPMENT

The UN General Assembly, in Resolution 2542 (XXIV) adopted on December 11, 1969, proclaimed the Declaration on Social Progress and Development and called for national and international action for its use as a common basis for social development policies.

The Declaration has 27 articles grouped under the following chapters: principles, objectives, means and methods.

UNITED NATIONS CONFERENCE ON THE HUMAN ENVIRONMENT

In Resolution 2581 (XXIV) of December 15, 1969 the UN General Assembly — in pursuance of Resolution 2398 (XXIII) of December 3, 1968 to convene in 1972 a United Nations Conference on the Human Environment and to begin immediately preparations for the Conference, and having considered the report of the Secretary General called for in the said resolution — reaffirmed the importance and urgency of the problems of the human environment and the necessity for complete preparatory arrangements for the 1972 UN Conference to become operative as soon as possible. The General Assembly endorsed the proposals contained in the report of the Secretary General regarding the purposes and objectives of the said Conference. It affirmed that it should be the main purpose of the Conference to serve as a practical means to encourage, and to provide guidelines for, action by Governments and international organizations designed to protect and improve the human environment, and to remedy and prevent its impairment, by means of international cooperation, bearing in mind the particular importance of enabling developing countries to forestall the occurrence of such problems. It entrusted to the Secretary General the over-all responsibility for organizing and preparing for the Conference. It established a Preparatory Committee for the UN Conference on the Human Environment — consisting of highly qualified representatives nominated by the Governments of Argentina, Brazil, Canada, Costa Rica, Cyprus, Czechoslovakia, France, Ghana, Guinea, India, Iran, Italy, Jamaica, Japan, Mauritius, Mexico, the Netherlands, Nigeria, Singapore, Sweden, Togo, Soviet Union, the

United Arab Republic, the United Kingdom, the United States of America, Yugoslavia and Zambia — to advise the Secretary General.

The General Assembly accepted the invitation of the Government of Sweden to hold the Conference in Sweden in June 1972.

INTERNATIONAL LAW COMMISSION

The UN General Assembly, in Resolution 2501 (XXIV) of November 12, 1969, having considered the report of the International Law Commission (ILC) on the work it accomplished in 1969, emphasized the need for the further codification and progressive development of international law in order to make it a more effective means of implementing the purposes and principles set forth in Articles 1 and 2 of Charter of the United Nations and to give increased importance to its role in relations among nations. It also noted with appreciation that the UN Office in Geneva organized, during the 1969 session of the ILC, a fifth session of the Seminar on International Law.

The General Assembly recommended that the International Law Commission should continue its work on: (a) Relations between States and international organizations, with a view to completing in 1971 its draft articles on representatives of States to international organizations; (b) succession of States and Governments; (c) state responsibility; (d) most-favoured-nation clause. It also recommended to the ILC to study, in consultation with the principal international organizations, as it may consider appropriate in accordance with its practice, the question of treaties concluded between States and international organizations or between two or more international organizations, as an important question.

UNCITRAL

The UN General Assembly, at its twenty fourth session, considered among other reports the one submitted by the United Nations Commission on International Trade Law (UNCITRAL).

The General Assembly recommended that UNCITRAL should: (a) Continue its work on the topics it decided to give priority, that is, international sale of goods, international payments, international commercial arbitration and international legislation on shipping; (b) continue to give attention to the ways and means which would effectively promote training and assistance in the field of international trade law; (c) keep its program of work under constant review, bearing in mind the important contribution which the progressive harmonization and unification of

international trade law can make to economic cooperation among all peoples; (d) give special consideration, in promoting the harmonization and unification on international trade law, to the interests of developing countries.

The General Assembly also took note of the view expressed by UNCITRAL in its report that, in order to implement the mandate entrusted to the Commission, it is desirable that there be the widest possible participation by the members of the Commission in the preparatory work to be done by working groups or special rapporteurs. It also approved in principle the establishment of a Yearbook of UNCITRAL, and authorized the Secretary General to establish the Yearbook in accordance with the decisions and recommendations that UNCITRAL would adopt at its third session (1970).

SPECIAL MISSIONS

In Resolution 2530 (XXIV) of December 8, 1969 the UN General Assembly adopted the *Convention on Special Missions* and opened it for signature and ratification or for accession. It adopted also an *Optional Protocol concerning the Compulsory Settlement of Disputes*.

The *Convention on Special Missions*, which was prepared by the International Law Commission, contains 55 articles. Article 1 adopts the definition of eleven terms.

Article 2 provides that a State may send a special mission to another State with the consent of the latter, previously obtained through diplomatic or another agreed or mutually acceptable channel. According to Article 3, the functions of a special mission shall be determined by the mutual consent of the sending and the receiving State. Article 4 stipulates that a State which wishes to send the same special mission to two or more States shall so inform each receiving State when seeking the consent of that State. As provided in Article 7, the existence of diplomatic or consular relations is not necessary for the sending or reception of a special mission.

The *Convention* also contains, among others, provisions on the composition of the special mission, notifications, persons declared *non grata*, commencement and the end of special missions, inviolability of the premises and of the archives and documents, freedom of movement, of communication and personal inviolability, immunity from jurisdiction, exemptions, staff, and waiver of immunity.