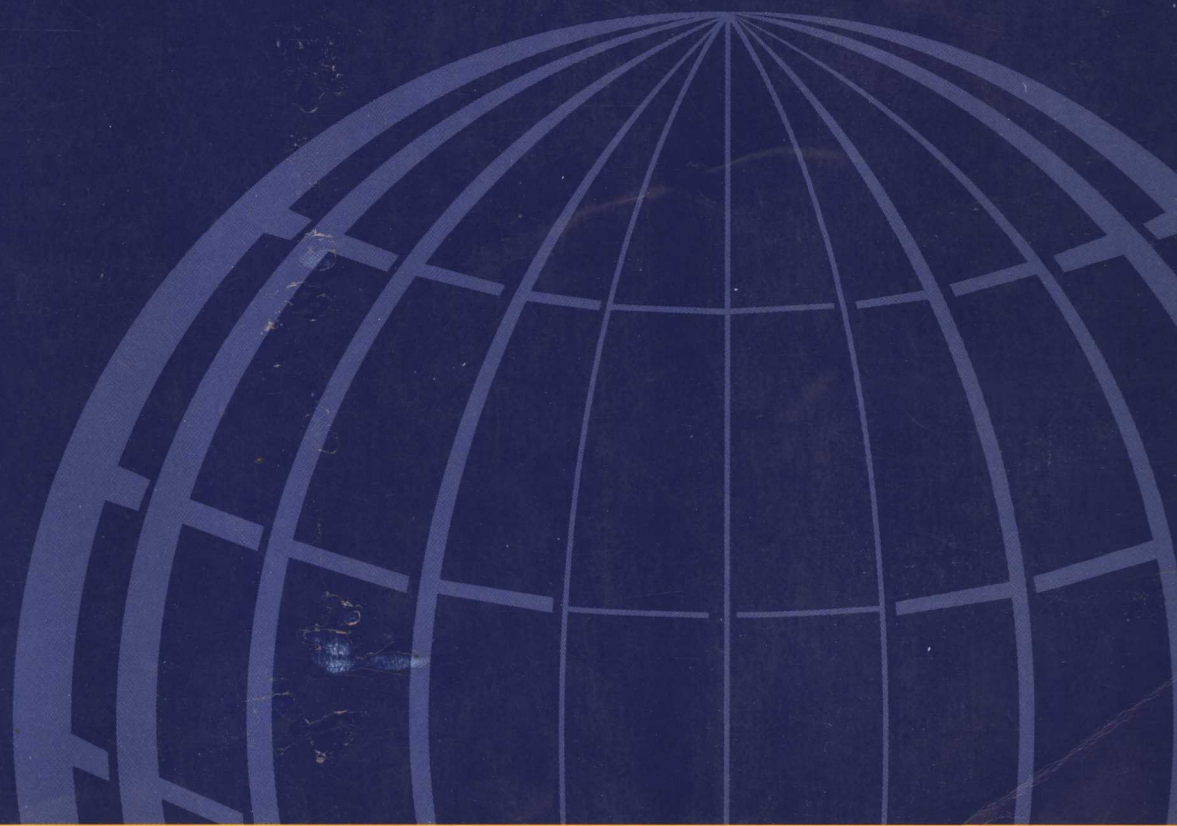


INTERNATIONAL **LAW** *Selected Documents*

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ASPEN LAW & BUSINESS

International Law

Selected Documents

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Abbreviations List

A.J.I.L.	American Journal of International Law
Bevans	Bevans, Treaties and Other International Agreements of the United States of America, 1776-1949 (1968-76)
E.T.S.	European Treaty Series
G.A.Res.	United Nations General Assembly Resolution
I.L.M.	International Legal Materials
L.N.T.S.	League of Nations Treaty Series
O.A.S.	Organization of American States
Stat.	Statutes at Large, United States
T.I.A.S.	Treaties and Other International Acts Series
T.S.	Treaty Series
U.N.Doc.	United Nations Document
U.N.T.S.	United Nations Treaty Series
U.S.C.	United States Code
U.S.T.	United States Treaties and Other International Agreements

Preface

These documents should be useful for anyone working in the international law field who needs a compilation of the basic documents. They have been collected for use as a supplement to the second edition of our International Law casebook published by Little, Brown and Company in 1995.

The documents, including ones from as late as January 1995, are organized according to the chapters in the casebook. Background information about a document's date of signing and entry into force, as well as the countries that have ratified it, are provided in a footnote to each document. Information about treaties is from: International Legal Materials (through July 1994); U.S. Department of State, *Treaties in Force: A List of Treaties and Other International Agreements of the United States in Force on January 1, 1994*; United Nations, *Multilateral Treaties Deposited with the Secretary-General* (status as at December 31, 1993); U.S. Department of State Dispatch (through October 1994); and from other published sources.

Because this collection is a reference book, the substantive provisions of each document are usually printed in full. When deemed peripheral, however, some of the materials have been omitted—for example, some of the preambles and the final paragraphs containing mere formalities. There has been substantial editing of some of the longer documents, whose complex provisions go well beyond what is needed here. These long documents include the Treaty of Rome and the 1982 Law of the Sea Convention. All omissions are indicated.

The editors acknowledge the invaluable assistance of many of the same student research assistants listed in the Acknowledgements section of the casebook. Professor Carter has been primarily responsible for the updates for this edition of this collection of documents.

We encourage any suggestions about possible additions or deletions in future editions.

Barry E. Carter
Phillip R. Trimble

January 2, 1995

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1

What Is International Law?

CHARTER OF THE UNITED NATIONS (as amended)

June 26, 1945, 59 Stat. 1031, T.S. No. 993, 3 Bevans 1153*

We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought

*Signed at San Francisco on June 26, 1945. Entered into force on October 24, 1945. The latest amendments are at 24 U.S.T. 2225, T.I.A.S. 7739.

The following are the 186 parties to the Charter and Member States of the United Nations (as of November 20, 1994): Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Korea (Democratic People's Republic of), Korea (Republic of), Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Macedonia (the former Yugoslav Republic of), Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova (Republic of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Rwanda, Saint Kitts & Nevis, Saint Lucia, Saint Vincent & the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovak Republic, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Tanzania (United Republic of), Thailand, Togo, Trinidad & Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Western Samoa, Yemen (Adan), Yemen (Sanaa), Yugoslavia, Zaire, Zambia, and Zimbabwe.

In September 1992, the General Assembly informed the Federal Republic of Yugoslavia (Serbia and Montenegro) that it would not be allowed to assume the membership of the former Socialist Federal Republic of Yugoslavia and would have to apply for membership in its own right. As of November 1994, Yugoslavia was still a member of the United Nations.

1. What Is International Law?

untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom, and for these ends to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples, have resolved to combine our efforts to accomplish these aims.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

Chapter I. Purposes and Principles

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

Charter of the United Nations

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

Chapter II. Membership

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of January 1, 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.