

INTERNATIONAL LAW HANDBOOK

COLLECTION OF INSTRUMENTS



BOOK ONE



Dag Hammarskjöld

The photograph on the cover is of a stained glass window in the United Nations Headquarters building in New York. The staff of the United Nations and Marc Chagall donated the stained glass panel designed by the French artist as a memorial to Dag Hammarskjöld and 15 others who died in a plane crash while on a peace mission in the Congo in 1961. Dag Hammarskjöld served as the second Secretary-General of the United Nations from 10 April 1953 until his death on 18 September 1961. He introduced the concept of peacekeeping and was awarded the Nobel Peace Prize. He also defined the

role of an international civil servant based on his personal devotion to the Charter of the United Nations and to public service.

In the panel Chagall sought to express the simplicity and beauty of the ideals of peace and brotherhood for which the United Nations was founded. Symbols of peace and love can be found throughout the panel. In the center is the figure of a young child being kissed on the cheek by an angelic face which emerges from a mass of flowers; the right hand side suggests mankind's yearning for peace, its prophets and its victims, and symbols of law. On the left are depicted motherhood and people struggling for peace.

The cover design is courtesy of the graphic designer, Sean Bacon.

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FOREWORD

The *International Law Handbook* was prepared by the Codification Division of the Office of Legal Affairs under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, pursuant to General Assembly resolution 70/116 of 14 December 2015.

Ambassador Emmanuel K. Dadzie of Ghana proposed the establishment of this programme when he served as Vice-Chairman of the Sixth Committee of the General Assembly at its 18th session in 1963. Following efforts led by Afghanistan, Belgium, Ghana and Ireland, the General Assembly decided, by resolution 2099 (XX) of 20 December 1965, to establish the Programme of Assistance to contribute towards a better knowledge of international law as a means of strengthening international peace and security and promoting friendly relations and cooperation among States.

The *International Law Handbook* is a collection of instruments used by the Codification Division as study materials for its training courses under the Programme of Assistance. This publication was prepared to celebrate the fiftieth anniversary of the establishment of the Programme in 2015 and to promote the teaching and dissemination of international law around the world. It is available on the United Nations Programme of Assistance website as well as the Audiovisual Library of International Law free of charge.^{*} It may be reproduced for academic purposes to further the teaching and dissemination of international law anywhere in the world.

The *International Law Handbook* is intended to be used as a general work of reference. It comprises four books:

Book One contains the Charter of the United Nations and the Statute of the International Court of Justice, as well as instruments relating to the law of treaties, subjects of international law, diplomatic and consular relations, international responsibility, peaceful settlement of international disputes, international peace and security, international human rights law as well as movement of persons and international migration law.

Book Two contains instruments relating to the law of armed conflict, international criminal law as well as disarmament and non-proliferation.

Book Three contains instruments relating to the law of the sea, international environmental law and international watercourses.

Book Four contains instruments relating to international labour law, law of cultural relations as well as international trade and investment law.

For ease of reference, each book includes an overview of the content of all four books, as well as a detailed table of contents for each respective volume.

The present collection of international instruments is not exhaustive. The texts incorporate amendments and corrections to the instruments subsequent to their entry into force, as appropriate, and whether or not the amendments have entered into force for all parties. Only the texts of the instruments as kept in the custody of the respective depositary constitute the authentic versions. The *International Law Handbook* is issued for information and educational purposes only.

^{*} See, respectively, <http://legal.un.org/poa/> and <http://legal.un.org/avl/>.

Chapter I

CHARTER OF THE UNITED NATIONS AND STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

1. CHARTER OF THE UNITED NATIONS

Done at San Francisco on 26 June 1945

Entry into force: 24 October 1945

We the peoples of the United Nations

determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought 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 neighbours, 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 co-operation 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 centre 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.

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 fulfill 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 1 January 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.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.