

and exhaustive analysis of a large number of multilateral constitutive covenants,⁸ plurilateral instruments⁹ as also numerous resolutions of the General Assembly.¹⁰ In addition to the foregoing, the process of identification of the elements of friendly and good neighbourly relations would also entail and involve numerous bilateral treaties. The list of existing international instruments, including resolutions of the General Assembly recourse to which may be had in the process of identifying, enumerating and developing the principles and norms to be included in the proposed international instrument may be found in Section C of this note. A short list of bilateral agreements on amity peace, good-neighbourly relations and mutual cooperation is also included in that section.

Finally it may be stated that an item entitled "Development and Strengthening of Good Neighbourliness Between States has been on the agenda of the General Assembly since its Thirty-sixth Session (1981).¹¹ Earlier, the General Assembly had at its XVIII¹² and XXth session¹³ considered an item entitled "Actions on the Regional Level with a view to improving Good-Neighbourly Relations among European States having different Social and Political Systems". Simultaneous consideration of the elements of friendly and good neighbourly relations by the Sixth Committee of the General Assembly and the AALCC would, while complimenting the endeavour of the other, help usher in international peace, security and stability.

8. Such as the Charter of the United Nations; the Charter of the Organization of African Unity (the Addis Ababa Charter) and the Organization of American States (the Bogota Charter).

9. Such as the Bandung Declaration, 1955; the ASEAN Declaration, 1971, the Final Act of the Conference on Security and Cooperation in Europe, Helsinki 1975 (the Helsinki Declaration).

10. On such items and subjects as the essentials of Peace Resolution 290 (IV), the Draft Declaration on the Rights and Duties of States (Resolution 596 (IV)); the permanent Sovereignty over Natural Resources (Resolutions 1803 (XVII) and 3171 (XXVIII)); the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (Resolution 2625 (XXV)); the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty (Resolution 2131 (XX)); the Declaration on the strengthening of International Security (Resolution 2734 (XXV)); the Declaration on the Indian Ocean as "a Zone of Peace (Resolution 2832 (XXVI)) the Declaration and Programme of Action on the New International Economic Order (Resolution 3201 and 3202); the Charter of the Economic Rights and Duties of States (Resolution 3281 (XXIX)); the Manila Declaration on the Peaceful Settlement of Disputes (Resolution 37/10 and the Declaration on the Rights of People to Peace (Resolution 39/11)).

11. For details see *Notes and Comments on the Agenda Items likely to be allocated to the Sixth Committee of the United Nations*. AALCC Doc. No. AALCC/UNGA/XLI/1.

12. See Item 84 of the Agenda of the Eighteenth Session of the General Assembly and its Decision of December 13, 1963 in the *GAOR XVIIIth Session*.

13. See Item 33 of the Agenda of the Twentieth Session of the General Assembly and Resolution 2129 of December 21, 1965 in the *GAOR XXth Session*.

C. Suggested List of International Instruments which Might be Deemed Relevant for the Study

(i) Multilateral Conventions, Resolutions of the General Assembly and Other International Instruments

1. The Charter of the United Nations, 1945.
2. Charter of the Organization of American States, 1948.
3. Final Communique of the Asian-African Conference (The Bandung Declaration), 1955.
4. Charter of the Organization of African Unity, 1963.
5. South Asian Association for Regional Cooperation (SAARC). For text of the Charter see *Asian-Recorder*, Vol. XXXII, No. 3 (January 15-21, 1986) p. 18695 et. seq.
6. Final Act of the Conference on Security and Cooperation in Europe, Helsinki, August 1, 1975. For text of the Declaration see *International Legal Materials*, Vol. XIV (1975), p. 1293.
7. Essentials of Peace. General Assembly Resolution 290 (IV), 1948.
8. Draft Declaration on Rights and Duties of States. General Assembly Resolution 596 (IV), 1949.
9. Peace Through Deeds. General Assembly Resolution 380 (V), 1950.
10. Draft Code of Offences Against the Peace and Security of Mankind, 1954.
11. Permanent Sovereignty over Natural Resources, General Assembly Resolution 1803 (XVII), 14 December 1962.
12. Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty. General Assembly Resolution 2131 (XX) of January 14, 1966.
13. Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. General Assembly Resolution 2625 (XXV) of 24 October, 1970.
14. Declaration on the Strengthening of International Security. General Assembly Resolution 2734 (XXV) of December 16, 1970.
15. ASEAN Declaration on South-East Asia as a Zone of Peace, 1971.

16. Declaration on the Indian Ocean as a Zone of Peace. General Assembly Resolution 2832 (XXVI) of December 16, 1971.
17. Permanent Sovereignty over Natural Resources. General Assembly Resolution 3171 (XXVIII) of October 17, 1973.
18. Declaration on the Establishment of a New International Economic Order. General Assembly Resolution 3201 (S-VI), 1 May, 1974.
19. Programme of Action of the Implementation of the NIEO. General Assembly Resolution 3202 (S-VI), 1 May, 1974.
20. Definition of Aggression. General Assembly Resolution 3314 (XXIX), 29 November, 1974.
21. Charter of Economic Rights and Duties of States. General Assembly Resolution 3281 (XXIX), 12 December, 1974.
22. Non-Interference in the Internal Affairs of States. General Assembly Resolution 31/91 of 14 December, 1976.
23. Resolution 10/2—Tenth Special Session of the General Assembly 1978.
24. Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States. General Assembly Resolution 36/103 of 7 December, 1981.
25. Resolutions of the Twelfth Special Session of the General Assembly 1982.
26. Manila Declaration on the Peaceful Settlement of International Disputes, General Assembly Resolution 37/10 of 15 November, 1982.
27. Declaration on Right of People to Peace. General Assembly Resolution 39/11 of 12 November, 1984.
28. Draft Code of Offences Against the Peace and Security of Mankind. *Report of the ILC at its Thirty-eighth Session, 1986.*

(ii) **Bilateral Treaties**

1. Treaty of Friendship and *Neighbourly Relations* Between Iraq and Turkey *UNTS* Vol. 37 (1949) p. 281.
2. Treaty of Friendship, Cooperation and Mutual Assistance Between the USSR and Finland signed at Moscow on 6th April, 1948 *UNTS* Vol. 48.

3. Treaty of Friendship, Cooperation and Mutual Assistance between the USSR and Republic of Hungary, Moscow 18.2.1948 *UNTS* Vol. 48. (1950) p. 170
4. Basic Principles of Relations between the United States of America and the Union of Soviet Socialist Republic. *A.J.I.L.* Vol. 66 (1972), p. 920.
5. Treaty of Friendship, Alliance and Mutual Assistance between the USSR and the People's Republic of China signed at Moscow on 14th February, 1950 *UNTS*. Vol. 226 (1956) p. 12.
6. Agreement between the USSR and the Republic of Finland concerning the Renunciation by the Soviet Union of Rights to the use of Territory of Porkkala-Udd as a Naval Base the withdrawal of Soviet Armed Forces from the said territory. Treaty No. 3113 *UNTS* Vol. 326 (1956) p. 194.
7. Protocol between the USSR and Afghanistan Prolonging the Validity of the Treaty of Neutrality and non-Aggression of 24.6.1931 between the USSR and Afghanistan signed at *UNT* Vol. 259 (1957) p. 106.
8. Agreement between the Republic of India and the People's Republic of China, on Trade and Intercourse between Tibet Region of China and India signed at Peking on April 29, *UNT* Vol. 299 p. 70.
9. Tashkent Declaration, India and Pakistan signed at Tashkent 9 10.1.1961. *UNTS*, Vol. 560 (1966) p. 40.
10. Treaty of Friendship and Co-operation and Mutual Assistance between Mongolia and USSR (15 January 1966) *UNTS* Vol. 5 p. 43 at 52 (English Text).
11. Treaty of Friendship, Cooperation and Mutual Assistance between the Polish People's Republic and the German D. Republic Warsaw. 15.3.1967 *UNTS* Vol. 618 (1968) p. 30
12. Treaty of Friendship, Cooperation and Mutual Assistance Between the People's Republic of Bulgaria and the USSR, Sofia. 12.5. *UNTS*, Vol. 631 (1968) p. 248.
13. Treaty for the Prohibition of Nuclear Weapons in Latin America Mexico, 14.2.1967 *UNTS*, Vol. 634 (1968) p. 326.
14. Treaty of Brotherhood, Good Neighbourly Relations and Co-operation Between Morocco and Algeria. (15 January 19 *UNTS*, Vol. 703 p. 332.

15. Treaty of Friendship and Co-operation Between the Czechoslovak Socialist Republic and the Yemen Arab Republic (27 September 1966).
16. Treaty of Friendship and Co-operation between Bulgaria and Yemen (13 October 1964) *UNTS*, Vol. 716 p. 110.
17. Treaty of Friendship and Co-operation between Czechoslovakia and Romania (7 May 1969) *UNTS*, Vol. 722 p. 386.
18. Treaty of Friendship and Co-operation between Czechoslovakia and USSR (9 June 1970) *UNTS*, Vol. 735 p. 230.
19. Treaty between the Polish People's Republic and the USSR concerning the Boundary of the Continental Shelf in the Gdansk and the South-Eastern Part of the Baltic Sea, Warsaw. 28.8.1969. *UNTS*, Vol. 769 (1971) p. 82.
20. Treaty of Friendship Between Romania and USSR (6 November 1970) *UNTS*, Vol. 789, p. 124.
21. Treaty of Friendship between USSR and Egypt (1 July 1971) *UNTS*, Vol. 798, p. 184.
22. Treaty of Friendship between U.K. and Bahrain (15 August 1971) *UNTS*, Vol. 814, p. 38.
23. Treaty of Friendship between U.K. and Qatar (3 September 1971) *UNTS*, Vol. 824, p. 94.
24. Treaty of Friendship between U.K. and U.A.E. (2 December 1971) *UNTS*, vol. 834, p. 274.
25. Treaty of Friendship, Co-operation and Mutual Assistance between Romania and German Democratic Republic (20 September 1972) *UNTS*, Vol. 847 p. 113.
26. Treaty of Friendship, Co-operation and Mutual Assistance Between Romania and Hungary (9 January 1972) *UNTS*, Vol. 847, p. 140.
27. Treaty of Friendship, Cooperation and Mutual Assistance Between the People's Republic of Bulgaria and the Socialist Republic of Romania: Signed at Sofia on 19.11.1970. *UNTS*, Vol. 855, (1973) p. 228.
28. Treaty of Friendship, Cooperation and Mutual Assistance Between Bulgaria and Romania (15 April 1973) *UNTS*, Vol. 870, p. 164.
29. Treaty of Friendship and Co-operation Between Mongolia and Czechoslovakia (5 February 1974) *UNTS*, Vol. 929-30, p. 78.

30. Treaty of Friendship and Co-operation between Socialist Republic of Romania and Democratic People's Republic of Korea (2 May 1975), *UNTS*, Vol. 1002, p. 281.
31. Treaty of Friendship and Co-operation between Spain and U.S.A. (21 September 1976), *UNTS*, Vol. 1030, p. 121.
32. Treaty of Friendship and Co-operation between the French Republic and the Republic of Senegal (Came into force on July 16, 1976), *UNTS*, Vol. 1061, p. 188 (1977).
33. Treaty of Peace and Friendship between the People's Republic of China and Japan *International Legal Materials*, Vol. XV (1978), p. 1054.

D. Some Basic Principles and Norms of Public International Law Conducive to Promotion of Friendly, Good-Neighbourly Relations between States

1. Independence and State Sovereignty.
2. Territorial Integrity and Inviolability of Frontiers.
3. Legal Equality of States.
4. Non-Intervention, overt or covert.
5. Non-use of Force.
6. Self-defence/Security.
7. Peaceful Settlement of Disputes.
8. *Pacta Sunt Servanda*
Duty to respect Treaty Obligations.
9. Peaceful Coexistence.
10. Mutual Cooperation.
11. Disarmament.
12. Duty/Obligation to Assist Victims of Aggression.
13. Nuclear Free and Peace Zones.
14. Refraining From Transferring Nuclear Weapons to the Territory which/that do not possess them.
15. Non-proliferation of Nuclear Weapons.
16. Duty to Refrain from Acts of Propaganda that Incite a War of Aggression (Duty to refrain from ideological propaganda).
17. Inadmissibility of the Acquisition of Territory by Force.
18. Permanent Sovereignty over Natural Resources.
19. Observance of Human Rights.

20. Freedom of the High Seas.
21. Immunity and Inviolability of the Diplomatic Personage.
22. Peaceful Uses of the Seabed and Ocean Floor beyond the National Jurisdiction of States.
23. Peaceful Uses of Outer Space.
24. Environmental Protection.
25. Reciprocity—Most Favoured Nation Treatment.
26. International Liability for Injurious Consequences Arising out of Acts not Prohibited by International Law.
27. Freedom of Communication.
28. Responsibility of States not to allow their Territory, Territorial Waters or Air Space to be used for Acts of War, Aggression or Violence against other States.
29. Right of Access of Land-Locked States to and from the Sea and Freedom of Transit.
30. Duty to Ensure Safety of Civil Aviation.
31. Seas, Outer Space and Celestial Bodies, the Common Heritage of Mankind.
32. Ethnic, Religious or Linguistic Unity.
33. Sovereign Immunity.
34. Refraining from unilateral exploitation of the shared natural resources.

E. A Sample of Identification of the Principles, Norms and Element of Friendly and Good Neighbourly Relations between States in Relation to Existing International Instruments

Principle	U.N. Charter 1945	Bandung Declaration 1955	OAU Charter 1961	Friendly Relations, Helsinki Declaration 1975	CSCE	OAS Charter	ASEAN Declaration 1971	Panch Sheela	General Assembly Resolutions
1. Independence and State Sovereignty	2	2	III(1) III(3)	6	I	5(b)	1, 2	1	2131 (XX) 2734 (XV) 3201 (S-VI) 3281 (XXIX) 36/103
2. Territorial Integrity, Inviolability of Frontiers		2	III(3)	1	III IV	17	4	1	2734 (XXV) 3201 (S-VI) 3281 (XXIX) 36/103 10/2
3. Legal Equality of States	2(1)	3	III(1) V	6	I	6	3	4	36/103 3281 (XXIX)
4. Non-Intervention overt or Covert	2(7)	4	III(2)	3	VI	15	5 6	3	2131 (XX) 3281 (XXIX) 10/2 31/91 36/103

Principle	U.N. Charter 1945	Bandung Declara- tion 1955	OAU Charter 1961	Friendly Relations, Declara- tions, Provisions 1970	CSCE Helsinki 1975	OAS Charter	ASEAN Declara- tion 1971	Panch Sheela	General Assembly Resolutions
5. Non-use of Force	2(4)	7		1	II	18 5(e)		2	2734 (XXV) 2131 (XX) 3281 (XXIX) 36/103
6. Self-defence/Security	51	5				11 18			10/2 36/103
7. Peaceful Settlement of Disputes	2(3), 33	8	III(4) XIX	2	V	4(b) 5(g) 20, 21, 23			2734 (XXV) 3281 (XXIX) 10/2 37/10
8. Pacta Sunt Servanda Duty to respect treaty obligations	2(2) 103	10	II(1)(e) II(2)	7	X	5(b) 14			2734 (XXV) 3201 (S-VI) 3281 (XXIX)
9. Peaceful Coexistence								5	3281 (XXIX)
10. Mutual Cooperation	1(3), 11, 13, 55, 56	9	II(1)(b)	4	IX	5(1), 26, 8 28		4	3281 (XXIX)
11. Disarmament	11, 26								2826 (XXVI) 10/2 34/88

Principle	U.N. Charter 1945	Bandung Declara- tion 1955	OAU Charter 1961	Friendly Relations, Declara- tions, Provisions 1970	CSCE Helsinki 1975	OAS Charter	ASEAN Declara- tion 1971	Panch Sheela	General Assembly Resolutions
17. Duty to refrain from acts of propaganda that incite a war of aggression (Duty to refrain from ideological propaganda)				1					36/103
18. Inadmissibility of the acquisition of territory by force				1		5(e) 17			36/103
19. Permanent Sovereignty over natural resources									1803 (XVII) 3171 (XXVIII) 36/103
20. Observance of Human Rights	1(3)	1		5	VII	5(j) 29			217 (III) 2106 (XX) 2200 (XXI) 3281 (XXIX) 36/103

Principle	U.N. Charter 1945	Bandung Declara- tion 1955	OAU Charter 1961	Friendly Relations, Declara- tions, Provisions 1970	CSCE Helsinki 1975	OAS Charter	ASEAN Declara- tion 1971	Panch Sheela	General Assembly Resolutions
21. Freedom of High Seas ¹⁴									
22. Immunity and Inviolability of the diplomatic personage ¹⁵									3166 (XXVIII)
23. Peaceful Uses of the Seabed and Ocean Floor beyond the national jurisdiction of States ¹⁶									10/2 para 79. 2749 (XXV) 2660 (XXV)
24. Peaceful Uses of Outer Space ¹⁷									1962 (XVIII) 2222 (XXI) 34/68

14. See the Geneva Convention on the High Seas, 1958, and the United Nations Convention on the Law of the Sea, 1982.

15. See the Vienna Convention on Diplomatic Relations, 1961; the Vienna Convention on Consular Relations, 1963; the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons including Diplomatic Agents, 1973; and the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, 1975.

16. 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 Subsoil thereof, 1971. See United Nations Convention on the Law of the Sea, 1982.

17. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space Including the Moon and Other Celestial Bodies, 1967

Principle	U.N. Charter 1945	Bandung Declara- tion 1955	OAU Charter 1961	Friendly Relations, Declara- tions, Provisions 1970	CSCE Helsinki 1975	OAS Charter	ASEAN Declara- tion 1971	Panch Sheela	General Assembly Resolutions
25. Environmental Protection									31/72
26. Reciprocity/Most Favoured Nation Treatment									
27. International Liability for Injurious Consequences Arising out of Acts not Prohibited by International Law									2777 (XXVI)
28. Freedom of Communication									
29. Responsibility of States not to allow their territory, Territorial Waters or air space to be used for acts of War, aggression or violence against other states.				1					36/103

Principle	U.N. Charter 1945	Bandung Declara- tion 1955	OAU Charter 1961	Friendly Relations, Declara- tions, Provisions 1970	CSCE Helsinki 1975	OAS Charter	ASEAN Declara- tion 1971	Panch Sheela	General Assembly Resolutions
30. Right of Access of Land-locked States to and from the Sea and Freedom of Transit ¹⁸									3281 (XXIX)
31. Duty to ensure safety of civil aviation and freedoms of the air									
32. Seas, outer space and celestial bodies, the common heritage of mankind. ¹⁹									2749 (XXV) 34/68
33. Ethnic, Religious or Linguistic Unity.									
34. Sovereign Immunity									
35. Refraining from unilateral exploitation of the shared natural resource									