

should be admitted to membership in the United Nations,<sup>31</sup>

*Having considered* the application for membership of the Republic of Mali,<sup>32</sup>

*Decides* to admit the Republic of Mali to membership in the United Nations.

876th plenary meeting,  
28 September 1960.

#### 1492 (XV). Admission of the Federation of Nigeria to membership in the United Nations

*The General Assembly,*

*Having received* the recommendation of the Security Council of 7 October 1960 that the Federation of Nigeria should be admitted to membership in the United Nations,<sup>33</sup>

*Having considered* the application for membership of the Federation of Nigeria,<sup>34</sup>

*Decides* to admit the Federation of Nigeria to membership in the United Nations.

893rd plenary meeting,  
7 October 1960.

#### 1495 (XV). Co-operation of Member States

*The General Assembly,*

*Deeply concerned* by the increase in world tensions,

*Considering* that the deterioration in international relations constitutes a grave risk to world peace and co-operation,

*Conscious* that both in the General Assembly and in the world at large it is necessary to arrest this trend in international relations and to contribute towards greater harmony among nations irrespective of the differences in their political and economic systems,

1. *Urges* that all countries, in accordance with the Charter of the United Nations, refrain from actions likely to aggravate international tensions;

2. *Reaffirms the conviction* that the strength of the United Nations rests on the co-operation of its Member States which should be forthcoming in full measure so that the Organization becomes a more effective instrument for the safeguarding of peace and for the promotion of the economic and social advancement of all peoples;

3. *Urges further* that immediate and constructive steps should be adopted in regard to the urgent problems concerning the peace of the world and the advancement of its peoples;

4. *Appeals* to all Member States to use their utmost endeavours to these ends.

907th plenary meeting,  
17 October 1960.

#### 1503 (XV). Report of the International Atomic Energy Agency

*The General Assembly*

*Takes note* of the report of the International Atomic

<sup>31</sup> *Ibid.*, document A/4514.

<sup>32</sup> *Ibid.*, document A/4512.

<sup>33</sup> *Ibid.*, document A/4533.

<sup>34</sup> *Ibid.*, document A/4527.

<sup>35</sup> *Annual report of the Board of Governors to the General Conference, 1 July 1959-30 June 1960, Vienna, July 1960 (A/4531 and Corr.1 and Add.1).*

Energy Agency to the General Assembly for the year 1959-1960.<sup>35</sup>

943rd plenary meeting,  
12 December 1960.

#### 1513 (XV). Report of the Security Council

*The General Assembly*

*Takes note* of the report of the Security Council to the General Assembly covering the period from 16 July 1959 to 15 July 1960.<sup>36</sup>

943rd plenary meeting,  
12 December 1960.

#### 1514 (XV). Declaration on the granting of independence to colonial countries and peoples

*The General Assembly,*

*Mindful* of the determination proclaimed by the peoples of the world in the Charter of the United Nations 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 promote social progress and better standards of life in larger freedom,

*Conscious* of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

*Recognizing* the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

*Aware* of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

*Considering* the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories,

*Recognizing* that the peoples of the world ardently desire the end of colonialism in all its manifestations,

*Convinced* that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

*Affirming* that peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law,

*Believing* that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith,

*Welcoming* the emergence in recent years of a large number of dependent territories into freedom and independence, and recognizing the increasingly powerful trends towards freedom in such territories which have not yet attained independence,

<sup>36</sup> *Official Records of the General Assembly, Fifteenth Session, Supplement No. 2 (A/4494).*

*Convinced* that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,

*Solemnly proclaims* the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations;

And to this end

*Declares* that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without

any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

7. All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.

*947th plenary meeting,  
14 December 1960.*

#### **1592 (XV). The situation in the Republic of the Congo**

*The General Assembly,*

*Having considered* the item entitled "The situation in the Republic of the Congo",

*Noting* that the previous resolutions of the Security Council and the General Assembly on this subject are still in effect,

*Decides* to keep this item on the agenda of its resumed fifteenth session.

*958th plenary meeting,  
20 December 1960.*

\* \* \*

#### **Note**

##### **Appointment of the Peace Observation Commission (item 18)**

At its 960th plenary meeting on 20 December 1960, the General Assembly decided to reappoint, for the calendar years 1961 and 1962, the present members of the Peace Observation Commission. The Commission is therefore composed as follows: CHINA, CZECHOSLOVAKIA, FRANCE, HONDURAS, INDIA, IRAQ, ISRAEL, NEW ZEALAND, PAKISTAN, SWEDEN, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA and URUGUAY.

## **TITLE 22. FOREIGN RELATIONS AND INTERCOURSE PAGE 954**

### **Chapter 2: Consular courts**

**Section 141. Judicial authority generally.** To carry into full effect the provisions of the treaties of the United States with certain foreign countries. The ministers and consuls of the United States in China. Siam, Turkey.

**Morocco. Muscat. Abyssinia. Persia,** and the territories formerly a part of the former Ottoman Empire including Egypt. **Duly appointed to reside therein. Shall. In addition to other powers and duties imposed upon them. Respectively, by the provisions of such treaties, respectively, be invested with judicial authority described in this chapter, which shall appertain to the office of minister and consul, and be a part of the duties belonging thereto, wherein, and so far as, the same is allowed by treaty, and in accordance with the usages of the countries in their intercourse with the Franks or other foreign Christian nations. (R. S. §§ 4083, 4125, 4126, 4127; June 14, 1878. c. 193. 20 Stat. 131.)**

### **Title 22. Chapter 2 Section 142**

#### **General Jurisdiction in Criminal cases.**

The officers mentioned in Section 141 of this title are fully empowered to arraign and try, in the manner provided for this chapter, all citizens of the United States charged with offenses against the law, committed in such countries, respectively, and to sentence such offenders in the manner in this chapter authorized; and each of them is authorized to issue such processes as are suitable and necessary to carry this authority into execution. (R. S. § 4084.)

### **Title 22 Chapter 2 Section 143**

#### **General Jurisdiction in Civil cases.**

Such officers are also invested with all the judicial authority necessary to execute the provisions of such treaties, respectively, in regard to civil rights, whether of property or person; and they shall entertain jurisdiction in matters of contract, at the port where, or nearest to which, it was to be executed, and in all other matters, at the port where, or nearest to which the damage complained of was sustained, provided such port be one of the ports at which the United States are represented by consuls. Such jurisdiction shall embrace all controversies between citizens of the United States, or others, provided for by such treaties, respectively. (R. S. § 4085)



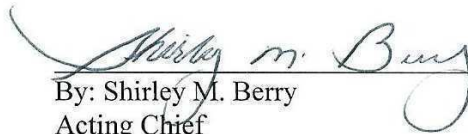
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THE  
**Public Statutes at Large**  
OF THE  
**UNITED STATES OF AMERICA,**

FROM THE  
ORGANIZATION OF THE GOVERNMENT IN 1789, TO MARCH 3, 1845.

ARRANGED IN CHRONOLOGICAL ORDER.

WITH  
REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT ACTS  
ON THE SAME SUBJECT,

AND  
COPIOUS NOTES OF THE DECISIONS

OF THE  
**Courts of the United States**

CONSTRUING THOSE ACTS, AND UPON THE SUBJECTS OF THE LAWS.

WITH AN  
INDEX TO THE CONTENTS OF EACH VOLUME,  
AND A  
FULL GENERAL INDEX TO THE WHOLE WORK, IN THE CONCLUDING VOLUME.

TOGETHER WITH  
*The Declaration of Independence, the Articles of Confederation, and  
the Constitution of the United States;*

AND ALSO,  
TABLES, IN THE LAST VOLUME, CONTAINING LISTS OF THE ACTS RELATING TO THE JUDICIARY,  
IMPOSTS AND TONNAGE, THE PUBLIC LANDS, ETC.

EDITED BY  
**RICHARD PETERS, ESQ.,**  
COUNSELLOR AT LAW.

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**BOSTON:**  
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## TREATY OF PEACE AND FRIENDSHIP

*Between the United States of America, and His Imperial Majesty the Emperor of Morocco. (a)*

January, 1787.

To all Persons to whom these Presents shall come or be made known. WHEREAS the United States of America, in Congress assembled, by their commission bearing date the twelfth day of May, one thousand seven hundred and eighty-four, thought proper to constitute John Adams, Benjamin Franklin, and Thomas Jefferson, their Ministers Plenipotentiary, giving to them, or a majority of them, full powers to confer, treat and negotiate with the Ambassador, Minister, or Commissioner of his Majesty the Emperor of Morocco, concerning a treaty of amity and commerce; to make and receive propositions for such treaty, and to conclude and sign the same, transmitting it to the United States in Congress assembled, for their final ratification; and by one other commission, bearing date the eleventh day of March, one thousand seven hundred and eighty-five, did further empower the said Ministers Plenipotentiary, or a majority of them, by writing under their hands and seals, to appoint such agent in the said business as they might think proper, with authority under the directions and instructions of the said Ministers, to commence and prosecute the said negotiations and conferences for the said treaty, provided that the said treaty should be signed by the said Ministers: And whereas we, the said John Adams and Thomas Jefferson, two of the said Ministers Plenipotentiary (the said Benjamin Franklin being absent) by writing under the hand and seal of the said John Adams at London, October the fifth, one thousand seven hundred and eighty-five, and of the said Thomas Jefferson at Paris, October the eleventh of the same year, did appoint Thomas Barclay, agent in the business aforesaid, giving him the powers therein, which, by the said second commission, we were authorized to give, and the said Thomas Barclay, in pursuance thereof, hath arranged articles for a treaty of amity and commerce between the United States of America, and his Majesty the Emperor of Morocco, which articles, written in the Arabic language, confirmed by his said Majesty the Emperor of Morocco, and sealed with his royal seal, being translated into the language of the said United States of America, together with the attestations thereto annexed, are in the following words, to wit:

ROYAL  
SEAL.

In the Name of ALMIGHTY GOD.

This is a Treaty of Peace and Friendship established between us and the United States of America, which is confirmed, and which we have ordered to be written in this book, and sealed with our royal seal, at our court of Morocco, on the twenty-fifth day of the blessed month of Shaban, in the year one thousand two hundred, trusting in God it will remain permanent.

### ARTICLE I.

We declare that both parties have agreed that this treaty, consisting

(a) By "an act making an appropriation for the purpose therein mentioned," passed March 3, 1791, Laws U. S. vol. 1, 214, twenty thousand dollars are appropriated for effecting a negotiation of the treaty with Morocco, September 16, 1836, post, 484.

of twenty-five articles, shall be inserted in this book, and delivered to the Honorable Thomas Barclay, the agent of the United States, now at our court, with whose approbation it has been made, and who is duly authorized on their part to treat with us concerning all the matters contained therein.

Emperor's consent to the treaty.

## ARTICLE II.

If either of the parties shall be at war with any nation whatever, the other party shall not take a commission from the enemy, nor fight under their colours.

Neither party shall take commission from the enemy of the other.

## ARTICLE III.

If either of the parties shall be at war with any nation whatever, and take a prize belonging to that nation, and there shall be found on board subjects or effects belonging to either of the parties, the subjects shall be set at liberty, and the effects returned to the owners. And if any goods belonging to any nation, with whom either of the parties shall be at war, shall be loaded on vessels belonging to the other party, they shall pass free and unmolested, without any attempt being made to take or detain them.

Regulation in case of captures.

## ARTICLE IV.

A signal or pass shall be given to all vessels belonging to both parties, by which they are to be known when they meet at sea; and if the commander of a ship of war of either party shall have other ships under his convoy, the declaration of the commander shall alone be sufficient to exempt any of them from examination.

Signal or pass to be given to vessels.

## ARTICLE V.

If either of the parties shall be at war, and shall meet a vessel at sea belonging to the other, it is agreed, that if an examination is to be made, it shall be done by sending a boat with two or three men only; and if any gun shall be fired, and injury done without reason, the offending party shall make good all damages.

How vessels shall be examined in time of war.

## ARTICLE VI.

If any Moor shall bring citizens of the United States, or their effects, to his Majesty, the citizens shall immediately be set at liberty, and the effects restored; and in like manner, if any Moor, not a subject of these dominions, shall make prize of any of the citizens of America, or their effects, and bring them into any of the ports of his Majesty, they shall be immediately released, as they will then be considered as under his Majesty's protection.

Citizens of the U. S. captured, to be released.

## ARTICLE VII.

If any vessel of either party shall put into a port of the other, and have occasion for provisions or other supplies, they shall be furnished without any interruption or molestation.

Vessels wanting supplies, to be furnished.

## ARTICLE VIII.

If any vessel of the United States shall meet with a disaster at sea, and put into one of our ports to repair, she shall be at liberty to land and re-load her cargo, without paying any duty whatever.

Provision in case of misfortune.

## ARTICLE IX.

If any vessel of the United States shall be cast on shore on any part of our coasts, she shall remain at the disposition of the owners, and no one shall attempt going near her without their approbation, as she is



Regulation in case of shipwreck, and being forced into port.

then considered particularly under our protection; and if any vessel of the United States shall be forced to put into our ports by stress of weather, or otherwise, she shall not be compelled to land her cargo, but shall remain in tranquility until the commander shall think proper to proceed on his voyage.

#### ARTICLE X.

Vessels protected in certain cases.

If any vessel of either of the parties shall have an engagement with a vessel belonging to any of the Christian powers within gun shot of the forts of the other, the vessel so engaged shall be defended and protected as much as possible until she is in safety; and if any American vessel shall be cast on shore on the coast of Wadnoon, or any coast thereabout, the people belonging to her shall be protected and assisted, until, by the help of God, they shall be sent to their country.

#### ARTICLE XI.

Privileges of vessels in case of war.

If we shall be at war with any Christian power, and any of our vessels sail from the ports of the United States, no vessel belonging to the enemy, shall follow until twenty-four hours after the departure of our vessels; and the same regulation shall be observed towards the American vessels sailing from our ports, be their enemies Moors or Christians.

#### ARTICLE XII.

Ships of war belonging to U. S. not to be examined.

If any ship of war belonging to the United States shall put into any of our ports, she shall not be examined on any pretence whatever, even though she should have fugitive slaves on board, nor shall the governor or commander of the place compel them to be brought on shore on any pretext, nor require any payment for them.

#### ARTICLE XIII.

Ships of war to be saluted.

If a ship of war of either party shall put into a port of the other and salute, it shall be returned from the fort with an equal number of guns, not with more or less.

#### ARTICLE XIV.

Commerce on the footing of the most favoured nation.

The commerce with the United States shall be on the same footing as is the commerce with Spain, or as that with the most favoured nation for the time being; and their citizens shall be respected and esteemed, and have full liberty to pass and repass our country and seaports whenever they please, without interruption.

#### ARTICLE XV.

Privileges of merchants.

Merchants of both countries shall employ only such interpreters, and such other persons to assist them in their business, as they shall think proper. No commander of a vessel shall transport his cargo on board another vessel; he shall not be detained in port longer than he may think proper; and all persons employed in loading or unloading goods, or in any other labour whatever, shall be paid at the customary rates, not more and not less.

#### ARTICLE XVI.

In case of war, prisoners not to be enslaved, but exchanged.

In case of a war between the parties, the prisoners are not to be made slaves, but to be exchanged one for another, captain for captain, officer for officer, and one private man for another; and if there shall prove a deficiency on either side, it shall be made up by the payment of one hundred Mexican dollars for each person wanting. And it is agreed that all prisoners shall be exchanged in twelve months from the time of their being taken, and that this exchange may be effected by a merchant or any other person authorized by either of the parties.

## ARTICLE XVII.

Merchants shall not be compelled to buy or sell any kind of goods but such as they shall think proper; and may buy and sell all sorts of merchandize but such as are prohibited to the other Christian nations.

Merchants may buy and sell all goods except those prohibited to other Christian nations.

## ARTICLE XVIII.

All goods shall be weighed and examined before they are sent on board, and to avoid all detention of vessels, no examination shall afterwards be made, unless it shall first be proved that contraband goods have been sent on board, in which case, the persons who took the contraband goods on board, shall be punished according to the usage and custom of the country, and no other person whatever shall be injured, nor shall the ship or cargo incur any penalty or damage whatever.

Goods to be examined before sent on board, and not after, unless in case of fraud.

## ARTICLE XIX.

No vessel shall be detained in port on any pretence whatever, nor be obliged to take on board any articles without the consent of the commander, who shall be at full liberty to agree for the freight of any goods he takes on board.

Vessels not to be detained.

## ARTICLE XX.

If any of the citizens of the United States, or any persons under their protection, shall have any disputes with each other, the consul shall decide between the parties, and whenever the consul shall require any aid or assistance from our government, to enforce his decisions, it shall be immediately granted to him.

How disputes shall be settled.

## ARTICLE XXI.

If a citizen of the United States should kill or wound a Moor, or, on the contrary, if a Moor shall kill or wound a citizen of the United States, the law of the country shall take place, and equal justice shall be rendered, the consul assisting at the trial; and if any delinquent shall make his escape, the consul shall not be answerable for him in any manner whatever.

How crimes shall be punished.

## ARTICLE XXII.

If an American citizen shall die in our country, and no will shall appear, the consul shall take possession of his effects; and if there shall be no consul, the effects shall be deposited in the hands of some person worthy of trust, until the party shall appear who has a right to demand them; but if the heir to the person deceased be present, the property shall be delivered to him without interruption; and if a will shall appear, the property shall descend agreeable to that will as soon as the consul shall declare the validity thereof.

How estates of deceased citizens shall be disposed of.

## ARTICLE XXIII.

The consuls of the United States of America, shall reside in any seaport of our dominions that they shall think proper; and they shall be respected, and enjoy all the privileges which the consuls of any other nation enjoy; and if any of the citizens of the United States shall contract any debts or engagements, the consul shall not be in any manner accountable for them, unless he shall have given a promise in writing for the payment or fulfilling thereof, without which promise in writing, no application to him for any redress shall be made.

Consuls and their privileges.

## ARTICLE XXIV.

Regulations in  
case of war.

If any differences shall arise by either party infringing on any of the articles of this treaty, peace and harmony shall remain notwithstanding, in the fullest force, until a friendly application shall be made for an arrangement, and until that application shall be rejected, no appeal shall be made to arms. And if a war shall break out between the parties, nine months shall be granted to all the subjects of both parties, to dispose of their effects and retire with their property. And it is further declared, that whatever indulgences, in trade or otherwise, shall be granted to any of the Christian Powers, the citizens of the United States shall be equally entitled to them.

## ARTICLE XXV

Duration of  
treaty.

This treaty shall continue in full force, with the help of God, for fifty years.

We have delivered this book into the hands of the beforementioned Thomas Barclay, on the first day of the blessed month of Ramadan, in the year one thousand two hundred.

I certify that the annexed is a true copy of the translation made by Isaac Cardoza Nunez, interpreter at Morocco, of the treaty between the Emperor of Morocco and the United States of America.

THOMAS BARCLAY.

## ADDITIONAL ARTICLE.

Grace to the only God.

Vessels of  
U. S. to be pro-  
tected.

I, the under-written, the servant of God, Taher Ben Abdelkack Fennish, do certify, that His Imperial Majesty, my master, (whom God preserve,) having concluded a treaty of peace and commerce with the United States of America, has ordered me, the better to compleat it, and in addition of the tenth article of the treaty, to declare, "That if any vessel belonging to the United States, shall be in any of the ports of his Majesty's dominions, or within gun-shot of his forts, she shall be protected as much as possible; and no vessel whatever, belonging either to Moorish or Christian Powers, with whom the United States may be at war, shall be permitted to follow or engage her, as we now deem the citizens of America our good friends."

And, in obedience to his Majesty's commands, I certify this declaration, by putting my hand and seal to it, on the eighteenth day of Ramadan,<sup>(a)</sup> in the year one thousand two hundred.

The servant of the King, my master, whom God preserve,

TAHER BEN ABDELKACK FENNISH.

I do certify that the above is a true copy of the translation made at Morocco, by Isaac Cordoza Nunez, interpreter, of a declaration made and signed by Sidi Hage Taher Fennish, in addition to the treaty between the Emperor of Morocco and the United States of America, which declaration the said Taher Fennish made by the express directions of his Majesty.

THOMAS BARCLAY.

(a) The Ramadan of the year of the Hegira 1200, commenced on the 28th June, in the year of our Lord 1786.

Now, KNOW YE, That we, the said John Adams and Thomas Jefferson, Ministers Plenipotentiary aforesaid, do approve and conclude the said treaty, and every article and clause therein contained, reserving the same nevertheless to the United States in Congress assembled, for their final ratification.

In testimony whereof, we have signed the same with our names and seals, at the places of our respective residence, and at the dates expressed under our signatures respectively.

JOHN ADAMS, (L. S.)  
*London, January 25th, 1787.*

THOMAS JEFFERSON, (L. S.)  
*Paris, January 1st, 1787*

## Presidential Documents

Executive Order 13107 of December 10, 1998

### Implementation of Human Rights Treaties

By the authority vested in me as President by the Constitution and the laws of the United States of America, and bearing in mind the obligations of the United States pursuant to the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), and other relevant treaties concerned with the protection and promotion of human rights to which the United States is now or may become a party in the future, it is hereby ordered as follows:

**Section 1. *Implementation of Human Rights Obligations.*** (a) It shall be the policy and practice of the Government of the United States, being committed to the protection and promotion of human rights and fundamental freedoms, fully to respect and implement its obligations under the international human rights treaties to which it is a party, including the ICCPR, the CAT, and the CERD.

(b) It shall also be the policy and practice of the Government of the United States to promote respect for international human rights, both in our relationships with all other countries and by working with and strengthening the various international mechanisms for the promotion of human rights, including, *inter alia*, those of the United Nations, the International Labor Organization, and the Organization of American States.

**Sec. 2. *Responsibility of Executive Departments and Agencies.*** (a) All executive departments and agencies (as defined in 5 U.S.C. 101–105, including boards and commissions, and hereinafter referred to collectively as “agency” or “agencies”) shall maintain a current awareness of United States international human rights obligations that are relevant to their functions and shall perform such functions so as to respect and implement those obligations fully. The head of each agency shall designate a single contact officer who will be responsible for overall coordination of the implementation of this order. Under this order, all such agencies shall retain their established institutional roles in the implementation, interpretation, and enforcement of Federal law and policy.

(b) The heads of agencies shall have lead responsibility, in coordination with other appropriate agencies, for questions concerning implementation of human rights obligations that fall within their respective operating and program responsibilities and authorities or, to the extent that matters do not fall within the operating and program responsibilities and authorities of any agency, that most closely relate to their general areas of concern.

**Sec. 3. *Human Rights Inquiries and Complaints.*** Each agency shall take lead responsibility, in coordination with other appropriate agencies, for responding to inquiries, requests for information, and complaints about violations of human rights obligations that fall within its areas of responsibility or, if the matter does not fall within its areas of responsibility, referring it to the appropriate agency for response.

**Sec. 4. *Interagency Working Group on Human Rights Treaties.*** (a) There is hereby established an Interagency Working Group on Human Rights Treaties for the purpose of providing guidance, oversight, and coordination with respect to questions concerning the adherence to and implementation of human rights obligations and related matters.

(b) The designee of the Assistant to the President for National Security Affairs shall chair the Interagency Working Group, which shall consist of appropriate policy and legal representatives at the Assistant Secretary level from the Department of State, the Department of Justice, the Department of Labor, the Department of Defense, the Joint Chiefs of Staff, and other agencies as the chair deems appropriate. The principal members may designate alternates to attend meetings in their stead.

(c) The principal functions of the Interagency Working Group shall include:

(i) coordinating the interagency review of any significant issues concerning the implementation of this order and analysis and recommendations in connection with pursuing the ratification of human rights treaties, as such questions may from time to time arise;

(ii) coordinating the preparation of reports that are to be submitted by the United States in fulfillment of treaty obligations;

(iii) coordinating the responses of the United States Government to complaints against it concerning alleged human rights violations submitted to the United Nations, the Organization of American States, and other international organizations;

(iv) developing effective mechanisms to ensure that legislation proposed by the Administration is reviewed for conformity with international human rights obligations and that these obligations are taken into account in reviewing legislation under consideration by the Congress as well;

(v) developing recommended proposals and mechanisms for improving the monitoring of the actions by the various States, Commonwealths, and territories of the United States and, where appropriate, of Native Americans and Federally recognized Indian tribes, including the review of State, Commonwealth, and territorial laws for their conformity with relevant treaties, the provision of relevant information for reports and other monitoring purposes, and the promotion of effective remedial mechanisms;

(vi) developing plans for public outreach and education concerning the provisions of the ICCPR, CAT, CERD, and other relevant treaties, and human rights-related provisions of domestic law;

(vii) coordinating and directing an annual review of United States reservations, declarations, and understandings to human rights treaties, and matters as to which there have been nontrivial complaints or allegations of inconsistency with or breach of international human rights obligations, in order to determine whether there should be consideration of any modification of relevant reservations, declarations, and understandings to human rights treaties, or United States practices or laws. The results and recommendations of this review shall be reviewed by the head of each participating agency;

(viii) making such other recommendations as it shall deem appropriate to the President, through the Assistant to the President for National Security Affairs, concerning United States adherence to or implementation of human rights treaties and related matters; and

(ix) coordinating such other significant tasks in connection with human rights treaties or international human rights institutions, including the Inter-American Commission on Human Rights and the Special Rapporteurs and complaints procedures established by the United Nations Human Rights Commission.

(d) The work of the Interagency Working Group shall not supplant the work of other interagency entities, including the President's Committee on the International Labor Organization, that address international human rights issues.

**Sec. 5. Cooperation Among Executive Departments and Agencies.** All agencies shall cooperate in carrying out the provisions of this order. The Interagency Working Group shall facilitate such cooperative measures.

**Sec. 6. *Judicial Review, Scope, and Administration.*** (a) Nothing in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(b) This order does not supersede Federal statutes and does not impose any justiciable obligations on the executive branch.

(c) The term "treaty obligations" shall mean treaty obligations as approved by the Senate pursuant to Article II, section 2, clause 2 of the United States Constitution.

(d) To the maximum extent practicable and subject to the availability of appropriations, agencies shall carry out the provisions of this order.

A handwritten signature in black ink, reading "William Clinton". The signature is written in a cursive, flowing style with a prominent "W" and "C".

THE WHITE HOUSE,  
*December 10, 1998.*

[FR Doc. 98-33348

Filed 12-14-98; 8:45 am]

Billing code 3195-01-P



Twentieth session  
Agenda item 90

### Resolutions adopted by the General Assembly

## 2103 (XX). Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations

### A

*The General Assembly,*

*Recalling* its resolutions 1505 (XV) of 12 December 1960, 1686 (XVI) of 18 December 1961, 1815 (XVII) of 18 December 1962 and 1966 (XVIII) of 16 December 1963,

*Recalling further* that among the fundamental purposes of the United Nations are the maintenance of international peace and security and the development of friendly relations and co-operation among States,

*Considering* that the faithful observance of the principles of international law concerning friendly relations and co-operation among States in accordance with the *Charter of the United Nations* is of paramount importance for the maintenance of international peace and security and the improvement of the international situation,

*Considering further* that the progressive development and codification of these principles, so as to secure their more effective application, would promote the realization of the *purposes of the United Nations*,

*Bearing in mind* that the Second Conference of Heads of State or Government of Non-Aligned Countries, which met at Cairo in 1964, recommended to the General Assembly of the United Nations the adoption of a declaration on these principles as an important step towards their codification,

*Being convinced* of the significance of continuing the effort to achieve general agreement at every stage of the process of the elaboration of the seven principles of international law set forth in General Assembly resolution 1815 (XVII), without prejudice to the applicability of the rules of procedure of the Assembly, and with a view to the early adoption of a declaration which would constitute a landmark in the progressive development and codification of these principles,

*Having considered* the report of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States,<sup>11</sup> established by General Assembly resolution 1966 (XVIII), which met in Mexico City from 27 August to 2 October 1964,

*Having also considered*, pursuant to paragraph 5 of General Assembly resolution 1966 (XVIII), the principle of the duty of States to co-operate with one another in accordance with the *Charter of the United Nations*, the principle of equal rights and self-determination of peoples and the principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter,

1. *Takes note* of the report of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States;



2. *Expresses* its appreciation to the Special Committee for the valuable work it performed in Mexico City;
3. *Decides* to reconstitute the Special Committee, which will be composed of the members of the Committee established under General Assembly *resolution 1966 (XVIII)*<sup>12</sup> and of Algeria, Chile, Kenya and Syria, in order to complete the consideration and elaboration of the seven principles set forth in Assembly *resolution 1815 (XVII)*;
4. *Requests* the Special Committee:
  - a. To continue, in the light of the debates which took place in the Sixth Committee during the seventeenth, eighteenth and twentieth sessions of the General Assembly and of the report of the previous Special Committee, the consideration of the four principles set forth in paragraph 3 of Assembly *resolution 1815 (XVII)*, having full regard to matters on which the previous Special Committee was unable to reach agreement and to the measure of progress achieved on particular matters;
  - b. To consider the three principles set forth in paragraph 5 of General Assembly *resolution 1966 (XVIII)*, with particular regard to:
    - i. The practice of the United Nations and of States respecting the application of the *principles laid down in the Charter of the United Nations*;
    - ii. The comments submitted by Governments on this subject in accordance with paragraph 6 of *resolution 1966 (XVIII)* ;
    - iii. The views and suggestions advanced by the representatives of Member States during the seventeenth, eighteenth and twentieth sessions of the General Assembly;
  - c. To submit a comprehensive report on the results of its study of the seven principles set forth in *resolution 1815 (XVII)*, including its conclusions and recommendations, with a view to enabling the General Assembly to adopt a declaration containing an enunciation of these principles;
5. *Recommends* the Governments of the States designated members of the Special Committee, in view of the general importance and the technical aspect of the item, to appoint jurists as their representatives on the Special Committee;
6. *Requests* the Special Committee to meet at United Nations Headquarters as soon as possible and to report to the General Assembly at its twenty-first session;
7. *Requests* the Secretary-General to co-operate with the Special Committee in its task and to provide all the services, documentation and other facilities necessary for its work; -
8. *Decides* to include an item entitled "Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations" in the provisional agenda of its twenty-first session.

1404th plenary meeting  
20 December 1965

## B

*The General Assembly,*

*Having considered* the item entitled "Observance by Member States of the principles relating to the sovereignty of States, their territorial integrity, noninterference in their domestic affairs, the peaceful settlement of disputes and the condemnation of subversive activities",

*Bearing in mind* the close connexion between this item and the item entitled "Consideration of principles of international law concerning friendly relations and co-operation among States in

accordance with the Charter of the United Nations",

*Requests* the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States, reconstituted under paragraph 3 of resolution A above, to take into consideration, in the course of its work and in drafting its report, the request for the inclusion in the agenda of the item mentioned in the first preambular paragraph above, and the discussion of that item at the twentieth session of the General Assembly.

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## Notes

11/ Ibid, agenda items 90 and 94, document A/5746.

12/ See A/5689 and A/5727.

13/ Official Records of the General Assembly, Nineteenth Session, Annexes, annex No. 2, documents A/5757 and Add.1.



## **AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN**

(Adopted by the Ninth International Conference of American States,  
Bogotá, Colombia, 1948)

WHEREAS:

The American peoples have acknowledged the dignity of the individual, and their national constitutions recognize that juridical and political institutions, which regulate life in human society, have as their principal aim the protection of the essential rights of man and the creation of circumstances that will permit him to achieve spiritual and material progress and attain happiness;

The American States have on repeated occasions recognized that the essential rights of man are not derived from the fact that he is a national of a certain state, but are based upon attributes of his human personality;

The international protection of the rights of man should be the principal guide of an evolving American law;

The affirmation of essential human rights by the American States together with the guarantees given by the internal regimes of the states establish the initial system of protection considered by the American States as being suited to the present social and juridical conditions, not without a recognition on their part that they should increasingly strengthen that system in the international field as conditions become more favorable,

The Ninth International Conference of American States

AGREES:

To adopt the following

## **AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN**

### **Preamble**

All men are born free and equal, in dignity and in rights, and, being endowed by nature with reason and conscience, they should conduct themselves as brothers one to another.

The fulfillment of duty by each individual is a prerequisite to the rights of all. Rights and duties are interrelated in every social and political activity of man. While rights exalt individual liberty, duties express the dignity of that liberty.

Duties of a juridical nature presuppose others of a moral nature which support them in principle and constitute their basis.

Inasmuch as spiritual development is the supreme end of human existence and the highest expression thereof, it is the duty of man to serve that end with all his strength and

resources.

Since culture is the highest social and historical expression of that spiritual development, it is the duty of man to preserve, practice and foster culture by every means within his power.

And, since moral conduct constitutes the noblest flowering of culture, it is the duty of every man always to hold it in high respect.

## CHAPTER ONE

### Rights

Article I. Every human being has the right to life, liberty and the security of his person.

Right to life, liberty and personal security.

Article II. All persons are equal before the law and have the rights and duties established in this Declaration, without distinction as to race, sex, language, creed or any other factor.

Right to equality before law.

Article III. Every person has the right freely to profess a religious faith, and to manifest and practice it both in public and in private.

Right to religious freedom and worship.

Article IV. Every person has the right to freedom of investigation, of opinion, and of the expression and dissemination of ideas, by any medium whatsoever.

Right to freedom of investigation, opinion, expression and dissemination.

Article V. Every person has the right to the protection of the law against abusive attacks upon his honor, his reputation, and his private and family life.

Right to protection of honor, personal reputation, and private and family life.

Article VI. Every person has the right to establish a family, the basic element of society, and to receive protection therefore.

Right to a family and to protection thereof.

Article VII. All women, during pregnancy and the nursing period, and all children have the right to special protection, care and aid.

Right to protection for mothers and children.

Article VIII. Every person has the right to fix his residence within the territory of the state of which he is a national, to move about freely within such territory, and not to leave it except by his own will.

Right to residence and movement.

Article IX. Every person has the right to the inviolability of his home.

Right to inviolability of the home.

Article X. Every person has the right to the inviolability and transmission of his correspondence.

Right to the inviolability and transmission of correspondence.

Article XI. Every person has the right to the preservation of his health through sanitary and social measures relating to food, clothing, housing and medical care, to the extent permitted by public and community resources.

Right to the preservation of health and to well-being.

Article XII. Every person has the right to an education, which should be based on the principles of liberty, morality and human solidarity.

Right to education.

Likewise every person has the right to an education that will prepare him to attain a decent life, to raise his standard of living, and to be a useful member of society.

The right to an education includes the right to equality of opportunity in every case, in accordance with natural talents, merit and the desire to utilize the resources that the state or the community is in a position to provide.

Every person has the right to receive, free, at least a primary education.

Article XIII. Every person has the right to take part in the cultural life of the community, to enjoy the arts, and to participate in the benefits that result from intellectual progress, especially scientific discoveries.

Right to the benefits of culture.

He likewise has the right to the protection of his moral and material interests as regards his inventions or any literary, scientific or artistic works of which he is the author.

Article XIV. Every person has the right to work, under proper conditions, and to follow his vocation freely, insofar as existing conditions of employment permit.

Right to work and to fair remuneration.

Every person who works has the right to receive such remuneration as will, in proportion to his capacity and skill, assure him a standard of living suitable for himself and for his family.

Article XV. Every person has the right to leisure time, to wholesome recreation, and to the opportunity for advantageous use of his free time to his spiritual, cultural and physical benefit.

Right to leisure time and to the use thereof.

Article XVI. Every person has the right to social security which will protect him from the consequences of unemployment, old age, and

Right to social security.

any disabilities arising from causes beyond his control that make it physically or mentally impossible for him to earn a living.

Article XVII. Every person has the right to be recognized everywhere as a person having rights and obligations, and to enjoy the basic civil rights.

Right to recognition of juridical personality and civil rights.

Article XVIII. Every person may resort to the courts to ensure respect for his legal rights. There should likewise be available to him a simple, brief procedure whereby the courts will protect him from acts of authority that, to his prejudice, violate any fundamental constitutional rights.

Right to a fair trial.

Article XIX. Every person has the right to the nationality to which he is entitled by law and to change it, if he so wishes, for the nationality of any other country that is willing to grant it to him.

Right to nationality.

Article XX. Every person having legal capacity is entitled to participate in the government of his country, directly or through his representatives, and to take part in popular elections, which shall be by secret ballot, and shall be honest, periodic and free.

Right to vote and to participate in government.

Article XXI. Every person has the right to assemble peaceably with others in a formal public meeting or an informal gathering, in connection with matters of common interest of any nature.

Right of assembly.

Article XXII. Every person has the right to associate with others to promote, exercise and protect his legitimate interests of a political, economic, religious, social, cultural, professional, labor union or other nature.

Right of association.

Article XXIII. Every person has a right to own such private property as meets the essential needs of decent living and helps to maintain the dignity of the individual and of the home.

Right to property.

Article XXIV. Every person has the right to submit respectful petitions to any competent authority, for reasons of either general or private interest, and the right to obtain a prompt decision thereon.

Right of petition.

Article XXV. No person may be deprived of his liberty except in the cases and according to the procedures established by pre-existing law.

Right of protection from arbitrary arrest.

No person may be deprived of liberty for nonfulfillment of obligations of a purely civil character.

Every individual who has been deprived of his liberty has the right to have the legality of his detention ascertained without delay by a court, and the right to be tried without undue delay or, otherwise, to be released. He also has the right to humane treatment during the time he is in custody.

Article XXVI. Every accused person is presumed to be innocent until proved guilty.

Right to due process of law.

Every person accused of an offense has the right to be given an impartial and public hearing, and to be tried by courts previously established in accordance with pre-existing laws, and not to receive cruel, infamous or unusual punishment.

Article XXVII. Every person has the right, in case of pursuit not resulting from ordinary crimes, to seek and receive asylum in foreign territory, in accordance with the laws of each country and with international agreements.

Right of asylum.

Article XXVIII. The rights of man are limited by the rights of others, by the security of all, and by the just demands of the general welfare and the advancement of democracy.

Scope of the rights of man.

## CHAPTER TWO

### Duties

Article XXIX. It is the duty of the individual so to conduct himself in relation to others that each and every one may fully form and develop his personality.

Duties to society.

Article XXX. It is the duty of every person to aid, support, educate and protect his minor children, and it is the duty of children to honor their parents always and to aid, support and protect them when they need it.

Duties toward children and parents.

Article XXXI. It is the duty of every person to acquire at least an elementary education.

Duty to receive instruction.

Article XXXII. It is the duty of every person to vote in the popular elections of the

Duty to vote.

country of which he is a national, when he is legally capable of doing so.

Article XXXIII. It is the duty of every person to obey the law and other legitimate commands of the authorities of his country and those of the country in which he may be.

Duty to obey the law.

Article XXXIV. It is the duty of every able-bodied person to render whatever civil and military service his country may require for its defense and preservation, and, in case of public disaster, to render such services as may be in his power.

Duty to serve the community and the nation.

It is likewise his duty to hold any public office to which he may be elected by popular vote in the state of which he is a national.

Article XXXV. It is the duty of every person to cooperate with the state and the community with respect to social security and welfare, in accordance with his ability and with existing circumstances.

Duties with respect to social security and welfare.

Article XXXVI. It is the duty of every person to pay the taxes established by law for the support of public services.

Duty to pay taxes.

Article XXXVII. It is the duty of every person to work, as far as his capacity and possibilities permit, in order to obtain the means of livelihood or to benefit his community.

Duty to work.

Article XXXVIII. It is the duty of every person to refrain from taking part in political activities that, according to law, are reserved exclusively to the citizens of the state in which he is an alien.

Duty to refrain from political activities in a foreign country.

**BASIC DOCUMENTS PERTAINING TO HUMAN RIGHTS  
IN THE INTER-AMERICAN SYSTEM  
[ Table of Contents ]**



## [CHAPTER 46.]

## AN ACT

June 3, 1933.  
[H. R. 4494.]  
[Public, No. 29]

Authorizing a per capita payment of \$100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States.

Menominee Indians  
of Wisconsin.  
Per capita payments  
to, from tribal funds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the fund in the Treasury of the United States on deposit to the credit of the Menominee Indians in the State of Wisconsin a sufficient sum to make therefrom a per capita payment or distribution of \$100, in three installments, \$50 immediately upon passage of this Act, \$25 on or about October 15, 1933, and \$25 on or about January 15, 1934, to each of the living members on the tribal roll of the Menominee Tribe of Indians of the State of Wisconsin, under such rules and regulations as the said Secretary may prescribe.

Approved, June 3, 1933.

## [CHAPTER 47.]

## JOINT RESOLUTION

June 5, 1933.  
[S. J. Res. 48.]  
[Pub. Res., No. 9.]

Authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China.

Posheng Yen, a citizen  
of China.  
Admitted to Military  
Academy.  
Provisos.  
No Federal expense.  
Conditions.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to permit Posheng Yen to receive instruction at the United States Military Academy at West Point for the course beginning not later than July 1, 1934: *Provided,* That no expense shall be caused to the United States thereby, and that Posheng Yen shall agree to comply with all regulations for the police and discipline of the Academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction, and that said Posheng Yen shall not be admitted to the Academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that he shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the Academic Board: *Provided further,* That in the case of said Posheng Yen the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended: *Provided further,* That S. J. Res. 179, approved March 3, 1933, be, and the same is hereby, repealed.

Approved, June 5, 1933.

Oath and service,  
waived.  
R. S., secs. 1320, 1321,  
p. 227.

Existing law repealed.  
Vol. 47, p. 1546.

## [CHAPTER 48.]

## JOINT RESOLUTION

June 5, 1933.  
[H. J. Res. 192.]  
[Pub. Res., No. 10]

To assure uniform value to the coins and currencies of the United States.

Uniform value of  
coins and currencies.  
Preamble.

Whereas the holding of or dealing in gold affect the public interest, and are therefore subject to proper regulation and restriction; and Whereas the existing emergency has disclosed that provisions of obligations which purport to give the obligee a right to require payment in gold or a particular kind of coin or currency of the United States, or in an amount in money of the United States measured thereby, obstruct the power of the Congress to regulate the value of the money of the United States, and are inconsistent with the declared policy of the Congress to maintain at all times the equal power of every dollar, coined or issued by the United States, in the markets and in the payment of debts. Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) every provision contained in or made with respect to any obligation which purports to give the obligee a right to require payment in gold or a particular kind of coin or currency, or in an amount in money of the United States measured thereby, is declared to be against public policy; and no such provision shall be contained in or made with respect to any obligation hereafter incurred. Every obligation, heretofore or hereafter incurred, whether or not any such provision is contained therein or made with respect thereto, shall be discharged upon payment, dollar for dollar, in any coin or currency which at the time of payment is legal tender for public and private debts. Any such provision contained in any law authorizing obligations to be issued by or under authority of the United States, is hereby repealed, but the repeal of any such provision shall not invalidate any other provision or authority contained in such law.*

(b) As used in this resolution, the term "obligation" means an obligation (including every obligation of and to the United States, excepting currency) payable in money of the United States; and the term "coin or currency" means coin or currency of the United States, including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations.

SEC. 2. The last sentence of paragraph (1) of subsection (b) of section 43 of the Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933, is amended to read as follows:

"All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations) heretofore or hereafter coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues, except that gold coins, when below the standard weight and limit of tolerance provided by law for the single piece, shall be legal tender only at valuation in proportion to their actual weight."

Approved, June 5, 1933, 4.40 p.m.

## [CHAPTER 49.]

## AN ACT

To provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

June 6, 1933.  
[S. 510.]  
[Public, No. 30.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to promote the establishment and maintenance of a national system of public employment offices there is hereby created in the Department of Labor a bureau to be known as the United States Employment Service, at the head of which shall be a director. The director shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary at the rate of \$8,500 per annum.*

(b) Upon the expiration of three months after the enactment of this Act the employment service now existing in the Department of Labor shall be abolished; and all records, files, and property (including office equipment) of the existing employment service

Clauses in obligations requiring gold, etc., payments declared contrary to public policy

No future obligation to be so expressed.

Payments to be made in legal tender.

Conflicting provisions repealed. U.S.C. p. 1003. Other provisions not invalidated.

Term "obligation" defined.

"Coin or currency."

National Economic Emergency Act, amended. *Ante*, p. 52.

Coins and currencies as legal tender.

Abrased gold coins, according to weight.

National cooperative employment service. United States Employment Service created in Department of Labor.

Appointment, etc., of Director

Existing service to be abolished; personnel and property transferred.