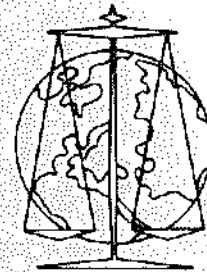


**THE MADRID  
RESOLUTIONS AND  
DECLARATION ON  
INTERNATIONAL  
COOPERATION**



*Adopted by the*

**MADRID CONFERENCE  
ON THE LAW OF THE WORLD**

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THE MADRID CONFERENCE  
AND DECLARATION ON  
INTERNATIONAL COOPERATION

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During this week, we judges, law professors and law students from around the world, meeting in our private capacity as responsible members of the world legal community, have attended the Ninth Conference on the Law of the World at Madrid, Spain. The World Peace Through Law Center and its affiliated associations -- the World Association of Judges, the World Association of Lawyers, the World Association of Law Professors and the World Association of Law Students have sponsored the Conference. The Madrid Conference has had as its overall theme "The Law of International Cooperation: International Law of Economic Development and the Law Relating to Relations Between Capitalist and Socialist Countries." Within that theme, our principal objectives in this Conference have been to promote the evolution and development of international law and to encourage the progressive submission of all governments and peoples to the Rule of Law in their relations.

As members of the Conference, we have participated in three days of panel discussions and workshops concerning critical problems in the law of economic development including the regulation of energy resources, the transfer of technology to the developing countries, the operation of producer cartels and the developing legal aspects of

the concept of the "new international economic order." Our Conference also dealt with other vital topics, including the law of human rights; the law of the sea; restrictions on the international trade in conventional military arms and expanding the jurisdiction of the International Court of Justice. Highlights of the Madrid Conference were: the "World Law Day Celebration" on the opening day of the Conference; the Demonstration Trial of the "Rescue of Hostages Case," which dealt with the issue of legality of unilateral anti-terrorist rescue operations; the very gracious address to the Conference given by His Majesty King Juan Carlos I de Borbon y Borbon and the very cordial receptions given for conference members by Excmo. Sr. Don Inigo Cavero, Minister of Justice and Excmo. Sr. Don Enrique Tierno Galvan, Mayor of Madrid.

We express our appreciation for the able leadership given by the Chairman of the Madrid Conference, the Hon. Juan Manuel Fanjul Sedeno, Attorney General of Spain.

Having in mind the theme of the Madrid Conference, with its focus on the law of international cooperation for economic development and on the need to promote optimum cooperation among all states, regardless of differences in their economic, social or political systems;

Recognizing that governments share common interests in cooperating to promote economic development of other states, as well as

their own, but that parochial or hostile attitudes too often have hindered optimum mutual assistance;

Noting that around the world expanding populations with rising expectations in contexts of swift social and political change are insistently demanding satisfaction of basic human needs;

Noting that seventy percent of the world's population accounts for only seven percent of the world industrial production, and that the tragic truth is that recently the massive "development gap" between the developed and developing countries has widened, not narrowed;

Noting that the economic circumstances for the great majority of the world's population is such that much of humanity must struggle for sheer survival and have no hope of leading decent and dignified lives, which is a basic human right; and

Believing that in this International Year of the Child our concern for essential international cooperation in economic development to provide even the very means of existence -- food, clothing, and shelter -- is especially appropriate,

We the members of the Madrid Conference on the Law of the World do hereby issue this

#### MADRID DECLARATION OF INTERNATIONAL COOPERATION

1. The inhabitants of our

"world community" are bound together by indissoluble ties of interdependence in their attainment of all human objectives, including economic development.

2. Only through substantially increased international development cooperation may the peoples of the world hope for the sufficient production and sharing of technology, goods and services essential to human well-being and to the fullest flowering of the human intellect and personality.

3. The basic world community goals of international peace and social justice require as a fundamental prerequisite for their attainment international cooperation to solve the serious world economic problems existing today.

4. A global crisis for the economic, social and political stability of the world community will soon arise if governments do not act promptly to cooperate to close the enormous economic development gap between the developed and developing countries and to satisfy demands fundamental to the sense of human dignity.

5. The supply of technology and of other economic resources at the command of the world community is sufficient to meet these compelling development needs if governments are prepared to engage in international development cooperation to the fullest extent possible on the basis of principles of equity and interdependence.

6. As members of the legal profession concerned with the promotion of human dignity, international peace and social justice and the progressive expansion of the Rule of Law, our duty and our pledge is to exert the maximum effort possible in our respective countries to bring about a new era of close, global international economic cooperation among all states and competent international organizations. As responsible members of the world legal community, we could seek no nobler task.

RESOLUTION No. 1

LEGAL ASPECTS OF A NEW INTERNATIONAL  
ECONOMIC ORDER

RECALLING that the Declaration on the establishment of a New International Economic Order was adopted by the Sixth Special Session of the UN General Assembly, the Charter of Economic Rights and Duties of States as the "first step in the codification and progressive development of this matter,"

CONSIDERING that the UN Commission on International Trade Law (UNCITRAL) on the recommendation of the Asian-African Legal Consultative Committee, decided to establish the Working Group on Legal Implications of the NIEO,

NOTING the various negotiations on the NIEO taking place in the UN system, i.e. the Code of Conduct for Transnational Corporations, International Code of Conduct on the Transfers of Technology, set of multilaterally agreed equitable principles and rules on restrictive business practices, Revision of the Paris Convention for the protection of Industrial Property and the relevant chapters of the draft Convention on the Law of the Sea,

CONVINCED that the establishment of a NIEO is in the interest of all nations and particularly the developing countries; that the establishment of a NIEO is not possible without legal foundations,

HAVING IN MIND that on the

agenda of the 34th regular session of the UN General Assembly was placed an item "Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the New International Economic Order,"

TAKING INTO ACCOUNT the recommendations of the summit meetings of Non-Aligned Countries, particularly those held in Algeria, Colombo and Havana,

CONTINUING the work done by previous conferences on the Law of the World,

RESOLVED to establish the Committee for Legal Aspects of a New International Economic Order, which will be composed adequately by representatives of different legal systems and regions of the World.

Among other things, the Committee will, particularly:

(A) Review the implementation of accepted basic documents on the establishment of the New International Economic Order and, in conformity with Resolutions of the General Assembly of the United Nations 32/174 and 33/198. Submit its proposals and initiatives to the Executive Committee for consideration and submittal to the Special Session of the General Assembly in 1980, in the usual manner stipulated in the Charter of the United Nations.

(B) Consider the level reached in the implementation of the Charter

of Economic Rights and Duties of States pursuant to Article 34 of the Charter, and the obstacles standing in the way of its amendment and systematization.

(C) Consider the possibilities for a more efficient elaboration of the Code of Conduct of Transnational Corporations, using the results of the work of the Committee on Transnational Corporations in the light of general issues concerning the establishment of the New International Economic Order.

(D) Bear in mind the conclusions and decisions of the Special Session of the General Assembly in 1980 on the New International Economic Order.

(E) Elaborate proposals for the Programme of UNCITRAL Working Group on Legal Implications of a New International Economic Order for its first Session, January 1980 and submit same to the Executive Committee for consideration and transmittal.

The Committee, in its work, shall closely consider the work of the bodies of the United Nations, e.g. UNCTAD, UNCITRAL and others, which are engaged in the activities at the establishment of the New International Economic Order.

The Committee shall prepare a report on the results of its work for the forthcoming X Conference on World Peace Through Law.

## RESOLUTION NO. 2

### PERMANENT INSTITUTE OF TAX ARBITRATION AS PART OF MODEL TAX TREATIES

WHEREAS, a permanent Institute of Tax Arbitration is considered as an effective and viable forum for the just and equitable resolution of international tax controversies;

BE IT RESOLVED, that the Tax Section of the World Association of Lawyers is hereby authorized to take such actions as may be necessary and desirable to seek inclusion of a provision in Model Tax Treaties, for settlement of international tax controversies by arbitration.

## RESOLUTION NO. 3

### ESTABLISHMENT OF A PERMANENT INSTITUTE OF TAX ARBITRATION

WHEREAS, an appropriate international dispute settlement mechanism is essential to the just and equitable solution of international tax controversies and;

WHEREAS, arbitration has developed as an appropriate and acceptable method of final settlement for disputes arising in international trade and commerce;

BE IT RESOLVED, that the Tax Section of the World Association of Lawyers is hereby authorized to take such actions as may be necessary and desirable to establish a permanent Institute of Tax Arbitration under the aegis and jurisdiction of the United Nations, or such

other international body as may be appropriate.

#### RESOLUTION NO. 4

#### IN FURTHERANCE OF "THE STUDY OF THE FEASIBILITY OF A WORLD TAX COURT, ARBITRATION IN TAXATION"

WHEREAS, a study has been presented at the Ninth Conference of the Law of the World, proposing settlement of international tax controversies by arbitration, pursuant to Resolution #38 adopted at the World Peace Through Law Conference in Manila August, 1977.

BE IT RESOLVED, that the Tax Section of the World Association of Lawyers is hereby authorized and directed to undertake such actions as may be necessary and desirable to advance the objectives and proposals of the Mattson-Lindencrona Study, and continue its efforts to create a viable mechanism for the settlement of international tax controversies.

#### RESOLUTION NO. 5

#### THE CHANGING ROLE OF UNCITRAL

WHEREAS, in regard to international trade, the primary goal of the United Nations is the promotion of a consistent body of international law encompassing all countries which maintain different legal, social and economic systems.

WHEREAS, the existing organs of the United Nations, the International Law Commission and the Commission of International Trade Law, as two

separate bodies, cannot fulfill the enlarging task of codifying and developing international economic law.

RESOLVED that a central coordinating legal body be established to integrate all organizations within and outside of the United Nations structure, to develop and maintain a consistent international economic law at a time when the world's constantly growing economic trade market invites an ever increasing amount of inefficiency and discrimination.

RESOLVED that without proliferating and creating new bodies within the United Nations, the UNCITRAL utilize its expertise in the technical legal field while concentrating on its role as "Coordinating Agency", codifying and developing the norms of international trade law while consulting with experts of the appropriate fields and separate international organizations, to provide and maintain a consistent law, fundamental and common to all, which does not cut across any international legal instruments.

RESOLVED taking into account its new role and program of work, that the United Nations Commission on International Trade Law (UNCITRAL) change its name to the United Nations Commission on International Economic Law (UNCIEL), therefore having a greater impact on the trend of the codification and development of the new international economic law while encompassing the special needs of developing countries.

RESOLUTION NO. 6

CALLING FOR AN INTERNATIONAL CRIMINAL COURT AND A CODE OF INTERNATIONAL OFFENSES

WHEREAS, the need for an international criminal court to help maintain a peaceful world has been the subject of consideration by the international community for many years; and

WHEREAS, many distinguished scholars and scholarly societies, including the World Peace Through Law Center, have recognized the need for an international criminal court and supported its creation; and

WHEREAS, the world community has recognized the existence of many international crimes, including aggressive war, genocide, terrorism, and other crimes against humanity; and

WHEREAS, the United Nations now has on its agenda the consideration of a Draft Code of Offenses against the peace and security of mankind, an item which, in the past, was coupled with consideration of an international criminal court,

NOW THEREFORE RESOLVED, that the World Peace Through Law Center call upon all members of the United Nations to support the drafting of a Code of Offenses which may threaten the peace and security of mankind, and to support the establishment of an International Criminal Court in order that the peace of mankind may thereby be enhanced.

RESOLUTION NO. 7

SOLAR LAW

WHEREAS, the supply of non-renewable energy resources is limited; and

WHEREAS, the use of renewable energy resources must be encouraged; and

WHEREAS, solar energy (the use of direct sunlight as an energy source) offers a partial solution to the energy shortage,

RESOLVED, that laws to encourage the use of solar energy should be developed and legal barriers to the use of solar energy should be removed.

RESOLUTION NO. 8

ENERGY LAW

WHEREAS, the supply of energy resources is limited; and

WHEREAS, energy shortages and prices will adversely affect economic and political systems and expectations; and

WHEREAS, international laws concerning energy use and development will encourage world peace;

RESOLVED, that a report be prepared for presentation to the X Conference on World Peace Through Law for an international



structure of energy law that will encourage world peace.

RESOLUTION NO. 9

PROMOTION OF CONTINUING DEBATE ON  
CIVIL AND CRIMINAL LIABILITY FOR  
TAX FRAUD

WHEREAS, the Tax Section of the World Association of Lawyers has conducted a panel session on the civil and criminal liability for tax fraud and examined the existing law and emerging trends in various nations of the world; and

WHEREAS, it is desirable to examine further these laws in the developed and developing countries in the light of new developments;

RESOLVED, the examination, discussion and debate of these issues be continued; and

RESOLVED, that there be developed such proposals as may be appropriate and relevant to promote the concept of mutual fairness, for all nations and citizens, in the assessment and payment of taxes.

RESOLUTION NO. 10

THE ESTABLISHMENT OF AN INTERNATIONAL AUTHORITY OVER THE SEABED

WHEREAS, today's growing demand for energy has prompted the exploration of the world's vast seabeds in the search for new sources of minerals;

WHEREAS, the world's developing countries do not have the capability to exploit beds and must rely on the technology of developed countries to aid in their economic development; and

RECALLING that at the Law of the Sea Conference it has been recognized that the seabed is "a common heritage of mankind" to be used for the benefit of all, in the interest of preserving international peace; and

RECALLING Article 29 of the Charter of Economic Rights and Duties of States, which provides that the resources of the seabed must be shared equitably taking into account the particular needs of developing countries, this being accomplished by implementing an international regime to serve as a supervisory authority; and

WHEREAS, with the creation of the Exclusive Economic Zones there emerges the necessity for a new study of its effects on the equitable distribution of seabed resources and for this reason by the final adoption of the seabed treaty particular regard should be given to the need of developing Coastal as well as non-Coastal states in the exclusive economic zone.

RESOLVED, that an international authority over the international zone which is known as "Area" be established, with exclusive jurisdiction concerning extraction of minerals from the seabed, exploration, processing and the distribution in accordance with the concept of common heritage of mankind.

#### RESOLUTION NO. 11

#### COMPUTER TECHNOLOGY AND THE RIGHT TO PRIVACY

NOTING the rapid advances in computer and telecommunications technology;

NOTING the general usefulness of such technology and its advantages for mankind;

BELIEVING that such advances bring in their train certain risks to individual privacy and individual liberties that require the attention of lawmakers,

#### RESOLVED

1. TO RE-AFFIRM the general rule that for the protection of privacy and individual liberties, an individual should be entitled in law to have access to personal information held about him, par-

ticularly in computerized data banks;

2. TO CALL for the enactment of national laws to provide, in accordance with local traditions and institutions, machinery to ensure ready and effective access by individuals to such personal information.

3. TO CALL for such laws, with such exceptions as are publicly stated, to make provisions on the following subjects at least:

(a) the statement of limitations that should be observed in the initial collection of personal information;

(b) ensuring the quality of personal information so that, for the purposes for which it may be used, it is accurate, complete and kept up to date;

(c) requiring that the purposes for which personal information may be used are made clear at the time of the initial collection and adhered to,

(d) laying down rules preventing the disclosure of personal information for purposes other than those specified, unless by consent or authority of law;

(e) ensuring reasonable security safeguards against loss, de-

struction, or illegal use of personal information; and

(f) identifying a particular person who is accountable to ensure compliance with privacy requirements.

4. TO CALL for the development of international rules to harmonize national laws and to facilitate enforcement of privacy laws on the one hand and mutual cooperation between countries to ensure the general free flow of personal information between nations, on the other.

#### RESOLUTION NO. 12

##### COMMUNICATION AMONG PROSECUTORS

##### FROM DIFFERENT NATIONS

WHEREAS criminal activity is not limited by the borders of each country of the world,

WHEREAS prosecutors therefore need information and assistance beyond the territorial limits of their own jurisdictions, and

WHEREAS existing channels for assistance in criminal investigations and proceedings have not proved adequate,

RESOLVED that in each country there should be a suitable law enforcement official

designated who can be contacted by prosecutors from outside that country for help in obtaining whatever information and assistance may be needed to enable such prosecutors to carry out their duties and responsibilities.

#### RESOLUTION NO. 13

##### INTERNATIONAL ARBITRATION

WHEREAS it is possible for arbitration to become an efficient instrument for the resolution of disputes which may arise from international commerce, and

WHEREAS the arbitrators and institutions administering arbitration should carry out their functions in accordance with accepted standards,

##### RESOLVED THAT

1. The IX Conference on the Law of the World calls the attention of all States to the advisability of ratifying the multilateral conventions on international commercial arbitration.

2. The IX Conference on the Law of the World recommends to all States the advisability of passing modern legislation on arbitration adapted to the present time in which the following criteria at least should be included: the necessity of confirmation by the courts or Public Notary of the arbitration agreements should be removed; by means of arbitration it should not only be possible to settle disputes already existing, but also

those which may arise in the future; in the solution of disputes, arbitrators should be empowered to fill gaps in the contracts if empowered by the parties; the participation in arbitration of States and agencies should be encouraged to the utmost; the arbitral award should be final and binding as a judgement of the court; it would be advisable to limit the possibility of appeals in arbitration awards to extreme cases,

3. The existence of permanent arbitration institutions operating at an international level should be supported as a guarantee of the neutrality and stability of arbitration. Special attention should be given to those which are specially concerned with particular aspects of commerce in their region.

4. The Conference stresses the vital importance of the training of arbitrators and emphasizes the need for the dissemination of information on arbitration.

#### RESOLUTION NO. 14

##### HUMAN RIGHTS

RECOGNIZING the unity and interdependence of human rights and fundamental freedoms, both civil and political as well as economic, social, cultural and others; and

EMPHASIZING the fact that human rights for justice, equality, liberty and peace are indivisible; and

CALLING UPON all individuals, groups, organizations, and governments in the world -- to all of which the Universal Declaration of Human Rights and the relevant conventions and agreements in this field undoubtedly apply -- to do everything in their power so as to guarantee the widest possible implementation of the principles of human rights without any discrimination;

REFERRING to the Helsinki and Belgrade Accords and the previous Resolutions of the Center on Human Rights;

URGES all the states concerned to implement in full the Helsinki and Belgrade Accords and calls upon all states which are not parties to these Accords to join in the global effort to protect human rights in the spirit of the Helsinki and Belgrade Accords;

EXPRESSING its view that respect for, and observance of, human rights are a condition precedent to the maintenance of friendly relations among nations and peoples;

DECLARES that peace among nations, including efforts to achieve peace through negotiations and other legal means, constitutes a human right of all peoples;

BELIEVING that possibilities of nuclear warfare and preparations for it pose a challenge to human rights to the pursuit of justice, as well as to legitimate social, economic and political rights and indeed to human existence itself;

CONDEMNNS all proposals and steps leading to a race in either the manufacture or piling up of nuclear arms.

RESOLUTION NO. 15  
APPRECIATION OF SPAIN

WHEREAS the Madrid Conference on the Law of the World extends its greetings and heartfelt thanks for the unbounded hospitality and graciousness of His Majesty Don Juan Carlos I, Minister of Justice of the Spanish Government His Excellency Angel Escudero, Attorney General His Excellency Don Juan Manuel Fanjul (Chairman of the Conference), President of the Spanish Bar Association His Excellency Don Antonio Pedrol, Mayor of Madrid His Excellency Don Enrique Tierno and the Town Council of Madrid, and of all those who lent their support and gave untiring dedication to the organization of this most successful Conference;

RESOLVED that the warm and generous reception and hospitality given to all the participants of the Madrid Conference on the Law of the World by the government, judges, lawyers, students and people of Spain and the City of Madrid be hereby acknowledged and formally commended.

RESOLUTION NO. 16  
PUBLICATION OF CONFERENCE PROCEEDINGS

WHEREAS the delegates to the Conference are of the opinion that

a selection of the materials presented and discussed at this, the Madrid Conference on Law of the World should be published;

RESOLVED that the Executive Committee of the World Peace Through Law Center consider ways and means to ensure such publication.

RESOLUTION NO. 17  
DISSEMINATION AND IMPLEMENTATION OF  
CONFERENCE RESOLUTIONS

WHEREAS it is imperative that the widest possible exposure be given to the resolutions adopted at this Conference;

WHEREAS it is imperative that means be devised to ensure effective implementation of these resolutions;

RESOLVED that all National Chairmen be urged to circulate Conference Resolutions through their respective Bar Associations and in any other possible way;

RESOLVED that the World Peace Through Law Center report on measures of implementation of the resolutions adopted in writing before the next Conference.

RESOLUTION NO. 18  
THE TRANSNATIONAL TRANSFER OF TECHNOLOGY TO DEVELOPING COUNTRIES

WHEREAS the increasing interdependence among the inhabitants of our "world community" is resulting in continuous expansion of international cooperation for the attain-

ment of vital objectives, including technological development; and

WHEREAS the transnational transfer of sufficient, useful technology to the developing states is especially urgent today, in view of the enormous and widening "development gap" between the developed and developing countries; and

WHEREAS the Conference delegates believe that a world economic, social and political crisis is threatened by this development gap, and that basic perspectives of human dignity, international peace and justice and progressive submission of all governments and peoples to the Rule of Law in their relations call for the prompt, effective flow of necessary technology to the developing countries, as an essential step in closing that development gap; and

WHEREAS the technologies at the disposal of the developed countries and their business enterprises, with proper adaptation, ARE SUFFICIENT to meet the compelling technological needs of the developing countries, and the institutional system to convey the needed technology exists:

BE IT RESOLVED therefore that this Conference urges:

1. That all parties to the process of transnational transfer of technology always keep in mind the fundamental role of the individual and of human intellect in the production and enjoyment of technology,

and the need for present technological development responsive not only to today's needs, but also to those of the twenty-first century, inter alia, the expansion of human activity into the oceans and space and the increased conservation of natural resources.

2. That national governments, officials of the United Nations, and other competent international organizations and agencies and the officials of business enterprises, increase their cooperation to expand greatly the flow of sufficient and useful technology to developing countries under conditions that are equitable and beneficial to all parties concerned.

3. That the parties to the transnational transfer of technology consider the following specific actions:

a. the business enterprises

1. With possible governmental protective assistance or fiscal incentives, place in the public domain of the developing countries as much technology as possible where there is at most minimal expected loss and/or adopt the most positive approach practicable to extensive, inexpensive licensing of technology.

2. Carefully explore the possibility of adapting to additional uses technologies presently used in developing countries and developing new technologies especially designed for markets in those countries.

3. To the greatest extent practicable provide technical and scientific education to local persons, on and off the job, and especially with available surplus labor and materials, establish research institutions, laboratories and other similar facilities; share the use of present enterprise facilities and provide short-term loan of experts for advice and training.

b. the developed countries

1. Provide the fullest access to available technological information owned or subject to governmental control, and facilitate access to technology owned by private entities. As to the latter, consider fiscal incentives and guarantees and international agreements increasing protection of the supplier's rights in technology transferred. In appropriate situations, consider securing a governmental license of private technology, at appropriate compensation, to permit subsequent government-to-government licensing of technology.

2. Assist the developing countries in acquiring skills and establishing procedures in locating, evaluating, and approving the transnational transfer of technology. Assist in the adaptation of foreign technology to local needs.

3. Establish grants or loan funds for technology acquisition by developing countries, either from the country providing the financial assistance or from other sources, as practicable.

4. Provide information to developing countries for their consideration in establishing and implementing their national laws and administration concerned with the transnational transfer of technology.

c. the international organizations

1. Advise on the formulation of national technology development plans.

2. Provide technological information and advisory services; promote the intergovernmental exchange of technological information and experience in the process of transnational transfer of technology, and develop technological and scientific information banks at the various organizations having concern with the technological development of their members.

3. Organize programs for training national personnel in performing various roles in the process of transfer of technology and prepare studies on all aspects of that process and its regulation by states.

4. Additionally, as appropriate, engage in the various actions recommended above, for the developed countries.

d. the developing countries

1. Establish a coherent system for planning and implementing national development, as an essential

framework for rational, equitable development and application of national law concerning the transnational transfer of technology.

2. Conduct research into the patent laws and other areas of technological law of the developed countries to gain whatever benefit possible from the prior experience of the developed countries in legal regulation of technology.

3. Establish national laws, regulations and agencies appropriate for the efficient and equitable regulation of the transfer of modern forms of technology, and insure that the pertinent laws, regulations and tribunal decisions are clearly expressed, published and readily available.

4. Become parties to multilateral agreements, such as the Paris Convention on the Protection of Industrial Property, that represent significant portions of international law regulating the transfer of technology between states, and actively engage in international organizations and associations concerned with the transfer and protection of technology.

#### RESOLUTION NO. 20

##### BANKING LAW

NOTING the present situation of the banking systems of the world;

NOTING the present legislation concerning banks and the circulars

issued by the Monetary Control Commissions which are binding upon banks and the trade of money;

NOTING the great interest of the people in economic development and social justice;

BELIEVING that the effectiveness of the modern banking systems depends upon the existence of competition; and

BELIEVING also that free competition is essential for the economic progress of all nations, industrial and developing alike

BE IT THEREFORE RESOLVED that the Conference

1. Calls on governments to enact legislation giving more freedom in terms of regulation and competition to commercial banks.

2. Calls on governments to give more emphasis to the social interest in the banking business.

#### RESOLUTION NO. 21

##### IMPERATIVE IMPLEMENTATION OF INTERNATIONALLY PROTECTED HUMAN RIGHTS

This Conference notes with satisfaction that the American Convention on Human Rights has been ratified by more than the required number of States and is now in force, and that an Inter-American Court of Human Rights is being set up to sit in San Jose, Costa Rica, and

RESOLVED that members of the



World Peace Through Law Center and its affiliated organizations urge their nations to the adoption of regional conventions in the establishment of regional human rights courts and of an appellate International Court of Human Rights, accessible, inter alia, to individuals whose rights may have been violated.

#### RESOLUTION NO. 22

##### FAMILY LAW

WHEREAS Family Law is currently being amended in many countries to update it to conform to modern tendencies,

RESOLVED that governments should resort to the greatest practical international consultation to insure the most effective and beneficial laws

RESOLVED that governments should seek to reach international agreements to promote uniformity of legislation in respect to institutions to be established, and standards to be applied in the field of Family Law regarding such matters as divorce, separation, adoption, custody of children, and status of illegitimate children and reciprocal enforcement of judgments in respect to such matters

RESOLVED that governments be urged to establish and develop unified family courts and other specialized tribunals to deal with matters related to Family Law and the protection of children with provi-

sions for representation of children when necessary.

RESOLVED that the Conference affirms the importance of Family Law which should be considered the basis of all national legal systems and establishes a permanent committee for the study of the principal problems of Family Law including the matters addressed in this Resolution.

#### RESOLUTION NO. 23

##### CRIMINAL LAW

1. WHEREAS this committee is concerned with the large differences in conditions of penal systems of countries, it was unanimously

RESOLVED that the committee support the implementing of treaties between countries for transfer of foreign prisoners to their country of nationality with their consent to serve their sentence.

2. WHEREAS this committee is concerned with some acts of terrorism being subject to exemption from the application of the Criminal Law of countries because the acts have a political motive, it was

RESOLVED that any person who commits an act of terrorism against a civilian population which results in death or serious personal injury to that civilian population should be extraditable, this being an exception to any political exemption that might otherwise be applicable.

RESOLUTION NO. 24

SELF GOVERNANCE OF THE LEGAL PROFESSION

WHEREAS the legal profession can only provide full legal services to the public when it enjoys freedom to govern its own members in their professional conduct;

NOW THEREFORE RESOLVED THAT this Conference urges all countries to grant to the legal profession autonomy in the accreditation of lawyers and in the regulation of their professional conduct.

RESOLUTION NO. 25

RECOMMENDATION FOR THE INCLUSION OF PRACTICAL TRAINING IN PROGRAMS OF LEGAL STUDY

REALIZING that the role of law depends upon the proper training of its practitioner -- law students, lawyers, law professors, and judges of the world; and

CONSIDERING that current educational systems do not adequately fulfill the needs of students; and

RECOGNIZING the existence of different legal systems and the complexity of their interaction; and

DECLARING that the legal profession has a responsibility to provide the best possible service to the public; and

BELIEVING that legal training should include not only theoretical knowledge but also practical skills;

THEREFORE BE IT RESOLVED that the World Association of Law Students urge that a study be undertaken concerning the various existing practical programs in law schools of the World in cooperation with the Bar Associations, with a view towards the improvement of legal services,

AND BE IT FURTHER RESOLVED that the effectiveness of this study will be greatly enhanced by the continued and expanded participation of law students from all nations in future World Peace Through Law Conferences.

RESOLUTION NO. 26

THE SIXTH COMMITTEE'S IMPORTANT ROLE IN LAW MAKING

WHEREAS during the discussion in the Sixth Committee of the United Nations General Assembly on the item "Review of the Multilateral Treaty Making Process", several delegations suggested that more substantive legal work should be undertaken within the Sixth Committee.

WHEREAS new states lack the resources for participating in all, or even most of the diplomatic conferences which are called into being for the purpose of codifying and developing international law.

WHEREAS the discussion and adoption of international conventions in the committees of the General Assembly take place mostly

without the Legal Committee's involvement.

RESOLVED that because international law making is becoming a very complex phenomenon in modern international society more substantial legal work should be undertaken within the Sixth Committee so that the committees of the United Nations General Assembly can directly utilize their legal expertise during the preparation of international conventions and treaties, not only increasing the prestige and dignity of such an important body, but also helping maintain the U.N. General Assembly as a session that all states can participate in, in the formation of an internationally supported law.

## Council

Giovanni Abbo, Vatican  
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