



**UNITED NATIONS  
OFFICE OF LEGAL  
AFFAIRS**

**International colloquium to celebrate the 60th anniversary of the  
enunciation of the Five Principles of Peaceful Co-existence**

**Panel on  
The Contribution and Role of the Five Principles on the Development of  
International Law**

**Opening Remarks**

**by**

**Mr. Miguel de Serpa Soares**

Under-Secretary-General for Legal Affairs  
and United Nations Legal Counsel

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In considering the issue before us today, and in analysing the contribution and role of the Five Principles on the development of international law, I thought that I might first trace, in general terms, what I would consider to be the major inflection points—the sort of cognitive connections—between the Five Principles and other projects of a similar type in international law. This will highlight, I believe, in broad terms, some of the things we might discuss during our consideration of this topic.

As I noted in my introductory remarks, the first such inflection point from my own perspective is the UN Charter, which, in my view, contains in its Articles 1 and 2, as well as in its more detailed subsequent provisions, principles that are also reflected in the Five Principles.

The foremost among these are the principles of sovereign equality, the principle of non-interference in the domestic affairs of other States, and the principle on

refraining from the use of force in international relations. While the UN Charter pre-dates the Five Principles by a decade or so, in reviewing the two documents, it's clear that similarities exist. In our discussion today, I hope that we can examine these synergies carefully and consider how the principles that are enshrined in these documents might apply given the current international context in which we operate.

The second inflection point for me, in thinking about the contribution and role of the Five Principles, would have to be the elaboration of these principles in the *communiqué* that emerged from the Bandung Conference in 1955 and the subsequent adoption of the Five Principles by the Non-Aligned Movement in 1961. These developments came at a particular historical moment in the development of international law and international relations, and I would hope to hear the panellists' views on what these actions meant at the time, and how they have informed the subsequent development of the law.

Another point of inflection that I think cannot be ignored, is the contribution and role of the Five Principles in the deliberative process that led to the General Assembly's adoption of the "Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations" in its resolution 2625 (XXV) in 1970. The "Friendly Relations Declaration", as this resolution is known colloquially, was the outcome of nearly a decade of deliberations in the General Assembly and the International Law Commission, and it will be interesting to explore, in the course of our discussions, what the view of the panellists might be on the interaction and associations between the Five Principles and the Friendly Relations Declaration.

One last historical development that I would mention, for the purposes of our discussion, is the General Assembly's adoption in 1974 of resolution 3314 (XXIX) and its annexation to that resolution of a "Definition on Aggression". Since this resolution came some twenty years following the enunciation of the Five Principles—the second of which calls for mutual non-aggression—it may be interesting to hear how the Five Principles informed the deliberations leading to the adoption of the definition, and what the experience in applying the Five Principles has been subsequently.

I would wish to make one final point before we move to the panellists and their thoughts, leading to what I am sure will be a vibrant discussion, and that is a suggestion that in looking at the contribution and role of the Five Principles to

the development of international law—keeping in mind the inflection points that I just discussed—it might benefit us to think both in terms of the normative impact of the Five Principles, their sort of high-minded, theoretical contribution, as well as how the application of the principles to particular cases—their more practical manifestation—has influenced the development of the law. While this may be two sides of the same coin, I think it will be interesting to explore not only the theoretical underpinnings of the Five Principles and how this has impacted principles elaborated elsewhere, but also how the Five Principles have practically affected State practice, and led to a kind of jurisprudence, loosely defined, that would guide how the Five Principles are applied both now and in the future.

With that I will give the floor to ...

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