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**General Assembly Resolution 1400 (XIV) on the Codification of the Principles and Rules  
International Law Relating to the Right of Asylum - Note by the Secretariat**

Topic:  
**Right of asylum**

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# **GENERAL ASSEMBLY RESOLUTION 1400 (XIV) ON THE CODIFICATION OF THE PRINCIPLES AND RULES OF INTERNATIONAL LAW RELATING TO THE RIGHT OF ASYLUM**

[Agenda item 6]

**DOCUMENT A/CN.4/128**

**Note by the Secretariat**

*[Original text : French]  
[4 March 1960]*

1. During the Sixth Committee's discussion on item 55 of the agenda of the fourteenth session of the General Assembly, "Report of the International Law Commission on the work of its eleventh session",<sup>1</sup> the representative of El Salvador submitted a draft resolution<sup>2</sup> requesting the International Law Commission, as soon as it considered it advisable, to undertake the codification of the principles and rules of international law relating to the right of asylum.

2. The representative of El Salvador pointed out that while this question had been included in the list of topics selected for codification by the International Law Commission at its first session,<sup>3</sup> and while the right of asylum, with its twin aspects of territorial asylum and diplomatic asylum, was an ancient institution, accepted and applied in many parts of the world, there was not yet sufficient uniformity in its application, so that the work of the International Law Commission on the matter would have to consist of both codification and progressive development of international law.

3. The various views expressed on the Salvadorian proposal were set forth in the summary records of the 602nd to the 612th meetings of the Sixth Committee<sup>4</sup> and in the Committee's report on the item to the General Assembly.<sup>5</sup> During the debate the representa-

tive of Cuba submitted an amendment,<sup>6</sup> which was later withdrawn, requesting the International Law Commission to give priority to the codification of this subject.

4. The majority of representatives supported the draft resolution of El Salvador, which was adopted by the Sixth Committee at its 612th meeting by 63 votes to 1, with 12 abstentions.<sup>7</sup>

5. At its 842nd plenary meeting, held on 21 November 1959,<sup>8</sup> the General Assembly adopted without discussion, by 56 votes to none with 11 abstentions, the draft resolution of the Sixth Committee, which then became resolution 1400 (XIV), reading as follows :

*"The General Assembly,*

*"Considering that it is desirable to standardize the application of the principles and rules relating to the right of asylum,*

*"Recalling that the International Law Commission at its first session included the right of asylum in the provisional list of topics of international law selected for codification,*

*"Requests the International Law Commission, as soon as it considers it advisable, to undertake the codification of the principles and rules of international law relating to the right of asylum."*

<sup>1</sup> *Official Records of the General Assembly Fourteenth Session, Supplement No. 9.*

<sup>2</sup> *Ibid., Sixth Committee, document A/C.6/L.443.*

<sup>3</sup> *Ibid., Fourth Session, Supplement No. 10, para. 16.*

<sup>4</sup> *Ibid., Fourteenth Session, Sixth Committee, 602nd to 612th meetings.*

<sup>5</sup> Document A/4253, paras. 19-30.

<sup>6</sup> See *Ibid., Sixth Committee, document A/C.6/L.447.*

<sup>7</sup> *Official Records of the General Assembly, Fourteenth Session, Sixth Committee, 612th meeting.*

<sup>8</sup> *Ibid., Plenary meetings, 842nd meeting.*