

No. 912

**REVISED GENERAL ACT
FOR THE PACIFIC SETTLEMENT
OF INTERNATIONAL DISPUTES**

**Adopted by the General Assembly of the United Nations
on 28 April 1949**

Official texts : English and French.

Registered ex officio on 20 September 1950.

**ACTE GÉNÉRAL REVISÉ
POUR LE RÈGLEMENT PACIFIQUE
DES DIFFÉRENDS INTERNATIONAUX**

**Adopté par l'Assemblée générale des Nations Unies le
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CHAPTER I

CONCILIATION

Article 1

Disputes of every kind between two or more Parties to the present General Act which it has not been possible to settle by diplomacy shall, subject to such reservations as may be made under article 39, be submitted, under the conditions laid down in the present chapter, to the procedure of conciliation.

Article 2

The disputes referred to in the preceding article shall be submitted to a permanent or special conciliation commission constituted by the parties to the dispute.

¹ In accordance with article 44 the Revised General Act came into force on 20 September 1950, the ninetieth day following the receipt by the Secretary-General of the second instrument of accession.

Accessions :

BELGIUM, 23 December 1949.—Accession extends to all the provisions of the Act (chapters I, II, III and IV).

SWEDEN, 22 June 1950.—Accession extends to the provisions relating to conciliation and judicial settlement (chapters I and II) together with the general provisions dealing with these procedures (chapter IV), with the reservation provided in article 39, paragraph 2 (*a*), to the effect of excluding, from the procedure described in the Act, disputes arising out of facts prior to the accession.

² In the course of the study of methods for the promotion of international co-operation in the political field, the General Assembly, among other measures, decided to restore to the General Act of 26 September 1928 its original efficacy by introducing into its text a number of amendments taking into account that the organs of the League of Nations and the Permanent Court of International Justice ceased to function. However, in adopting the amendments and instructing the Secretary-General to prepare a revised text of the General Act and to hold it open for accession by States, under the title "Revised General Act for the Pacific Settlement of International Disputes", the General Assembly, in its resolution 268 A (III) of 28 April 1949, made it clear that "these amendments will only apply as between the States having acceded to the General Act as thus amended and, as a consequence, will not affect the rights of such States, parties to the Act as established on 26 September 1928, as should claim to invoke it in so far as it might still be operative". For the text of the General Act of 26 September 1928 and subsequent accessions thereto see: League of Nations, *Treaty Series*, Volume XCIII, page 343; Volume C, page 260; Volume CVII, page 529; Volume CXI, page 414; Volume CXVII, page 304; Volume CLII, page 297; Volume CLVI, page 211; Volume CLX, page 354; Volume CXCVI, page 413, and Volume CXCVII, page 304.

Article 3

On a request to that effect being made by one of the Contracting Parties to another party, a permanent conciliation commission shall be constituted within a period of six months.

Article 4

Unless the parties concerned agree otherwise, the Conciliation Commission shall be constituted as follows :

(1) The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

(2) The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

(3) Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 5

If, when a dispute arises, no permanent conciliation commission appointed by the parties is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

Article 6

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in articles 3 and 5, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties, or on request of the parties, to the President of the General Assembly, or, if the latter is not in session, to the last President.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

Article 7

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or in default thereof by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall, without delay, be notified by it.

Article 8

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent conciliation commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall, in such case, be entitled to take similar action within fifteen days from the date on which it received the notification.

Article 9

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the United Nations, or at some other place selected by its President.

2. The Commission may in all circumstances request the Secretary-General of the United Nations to afford it his assistance.

Article 10

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

Article 11

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of part III of the Hague Convention of 18 October 1907¹ for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

Article 12

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote, and the Commission may only take decisions on the substance of the dispute if all its members are present.

Article 13

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

Article 14

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

¹ *British and Foreign State Papers*, Volume 100, page 298. League of Nations, *Treaty Series*, Volume LIV, page 435, and Volume CXXXIV, page 453.