

33/95. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,¹¹

Considering that the problems related to the privileges and immunities of the United Nations and to the status of the missions accredited to it are of great importance and of mutual concern to the Member States, including the host country, as well as to the United Nations as a whole,

Expressing its concern over the incident and all its aspects which resulted in a diplomatic representative of a Member State of the United Nations being unilaterally required to leave the host country,

1. *Takes note of the report of the Committee on Relations with the Host Country;*

2. *Considers that the security of the missions accredited to the United Nations and the safety of their personnel are indispensable for their effective functioning, notes with satisfaction the assurances given by the competent authorities of the host country and recognizes the usefulness of the various measures taken to this end;*

3. *Urges the host country to take all necessary measures without delay in order to prevent any acts violating the security of missions and the safety of their personnel or the inviolability of their property and in order to ensure normal conditions for the existence and functioning of all missions;*

4. *Urges the host country to continue to take measures to apprehend, bring to justice and punish all those responsible for committing criminal acts against missions accredited to the United Nations as provided for in the 1972 Federal Act for the Protection of Foreign Officials and Official Guests of the United States;¹²*

5. *Calls upon the missions of Member States to co-operate, with a view to facilitating the course of justice, as fully as possible with the Federal and local United States authorities in cases affecting the security of those missions and their personnel;*

6. *Calls upon the host country to avoid actions not consistent with meeting effectively obligations undertaken by it in accordance with international law in relation to the privileges and immunities of Member States;*

7. *Requests the Secretary-General to enter into consultations with the host country concerning procedures for consultations between the host country and the Member States or the Secretary-General, pursuant to section 13 (b) of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,¹³ and to report to the Committee on Relations with the Host Country in 1979;*

8. *Appeals to the host country to review the measures with regard to the parking of diplomatic vehicles with a view to facilitating the desires and needs of the diplomatic community and to consider terminating the practice of serving summonses to diplomats;*

9. *Welcomes the diplomatic community's readiness to co-operate fully with the local authorities in solving traffic problems and notes, in this regard, the desirability of missions making reasonable efforts to utilize off-street parking facilities;*

10. *Expresses the hope that efforts will be continued and intensified with a view to implementing an information programme in order to acquaint the population of the City of New York and its boroughs with the privileges and immunities of the personnel of the missions accredited to the United Nations and with the importance of the international functions performed by them;*

11. *Notes that there have been difficulties concerning unpaid bills for goods and services rendered by private persons and organizations to certain missions accredited to the United Nations and certain individual diplomats attached to those missions, and suggests that the Secretariat and others concerned work together to solve these outstanding difficulties;*

12. *Expresses its appreciation to the New York City Commission for the United Nations and for the Consular Corps and those bodies which contribute to its efforts to help to accommodate the needs, interests and requirements of the diplomatic community, to provide hospitality and to promote mutual understanding between the diplomatic community and the people of the City of New York;*

13. *Decides to continue the work of the Committee on Relations with the Host Country, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971, with the purpose of examining on a more regular basis all matters falling within its terms of reference, and requests the Secretary-General to provide the Committee with all necessary assistance;*

14. *Decides to include in the provisional agenda of its thirty-fourth session the item entitled "Report of the Committee on Relations with the Host Country".*

*86th plenary meeting
16 December 1978*

33/96. Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations¹⁴

The General Assembly,

Recalling its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations¹⁵ submitted by the Union of Soviet Socialist Republics, as well as other proposals made during the consideration of this item,

Recalling in particular its resolution 32/150 of 19 December 1977, whereby it established the Special

¹⁴ As a result of the replacement of Argentina, Brazil and Chile by Nicaragua, Panama and Peru (see A/32/500, annex III), the Special Committee is now composed as follows: Belgium, Benin, Bulgaria, Cuba, Cyprus, Ecuador, Egypt, Finland, France, Germany, Federal Republic of, Greece, Guinea, Hungary, India, Iraq, Italy, Japan, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Panama, Peru, Poland, Romania, Senegal, Somalia, Spain, Togo, Turkey, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

¹⁵ *Official Records of the General Assembly, Thirty-third Session, Supplement No. 41 (A/33/41 and Corr.1), annex.*

¹¹ *Ibid.*, Supplement No. 26 (A/33/26 and Corr.1).

¹² United States Public Law 92-539 (see A/8871/Rev.1).

¹³ Resolution 169 (II).

Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations,

Having considered the report of the Special Committee,¹⁶

Noting that the Special Committee has commenced work to accomplish the tasks assigned to it,

Taking into account that the Special Committee has not completed the mandate entrusted to it,

Reaffirming the need for universal and effective application of the principle of the non-use of force in international relations and for assistance by the United Nations in this endeavour,

1. *Takes note* of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;

2. *Decides* that the Special Committee shall continue its work with the goal of drafting, at the earliest possible date, a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate;

3. *Invites* the Governments which have not yet done so to communicate their comments or suggestions or to bring them up to date, in accordance with General Assembly resolution 31/9;

4. *Requests* the Secretary-General to provide the Special Committee with the necessary facilities and services, including the preparation of summary records of its meetings;

5. *Invites* the Special Committee to submit a report on its work to the General Assembly at its thirty-fourth session;

6. *Decides* to include in the provisional agenda of its thirty-fourth session the item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations".

*86th plenary meeting
16 December 1978*

33/97. Draft Code of Offences against the Peace and Security of Mankind

The General Assembly,

Recalling that the International Law Commission submitted a draft Code of Offences against the Peace and Security of Mankind in 1954,¹⁷

Recalling further that the General Assembly decided, by its resolutions 897 (IX) of 4 December 1954 and 1186 (XII) of 11 December 1957, to postpone the consideration of the item entitled "Draft Code of Offences against the Peace and Security of Mankind" until a definition of aggression had been adopted by the Assembly,

Bearing in mind that on 14 December 1974 the General Assembly adopted resolution 3314 (XXIX) entitled "Definition of Aggression",

Having considered the statements made during the debates on this item,

1. *Requests* the Secretary-General to invite Member States and relevant international intergovernmental organizations to submit their comments and observations on the draft Code of Offences against the Peace and Security of Mankind, including comments on the procedure to be adopted, not later than 31 December 1979, and to prepare a report to be submitted to the General Assembly at its thirty-fifth session;

2. *Also requests* the Secretary-General to circulate to Member States and relevant international intergovernmental organizations reports prepared for and by the International Law Commission, the summary records of the relevant debates in the General Assembly and all other relevant official documentation on the item;

3. *Decides* to include in the provisional agenda of its thirty-fifth session the item entitled "Draft Code of Offences against the Peace and Security of Mankind" and to accord it priority and the fullest possible consideration.

*86th plenary meeting
16 December 1978*

33/139. Report of the International Law Commission

The General Assembly,

Having considered the report of the International Law Commission on the work of its thirtieth session,¹⁸

Emphasizing the need for the progressive development of international law and its codification in order to make it a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States,¹⁹ and to give increased importance to its role in relations among States,

Noting with appreciation that at its thirtieth session the International Law Commission, pursuant to General Assembly resolution 32/151 of 19 December 1977, completed, in the light of the observations and comments of Member States, of organs of the United Nations, of the specialized agencies and of interested intergovernmental organizations, the second reading of its draft articles on most-favoured-nation clauses,

Noting further with appreciation the work done by the International Law Commission on State responsibility, succession of States in respect of matters other than treaties, treaties concluded between States and international organizations, as well as the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier,

Taking note of the preliminary work done by the International Law Commission regarding the study of the law of the non-navigational uses of international watercourses, the second part of the topic "Relations between States and international organizations", international liability for injurious consequences arising out of acts not prohibited by international law and jurisdictional immunities of States and their property,

¹⁶ *Ibid.*, Supplement No. 41 (A/33/41 and Corr.1).

¹⁷ *Ibid.*, Ninth Session, Supplement No. 9 (A/2693), para. 54.

¹⁸ *Ibid.*, Thirty-third Session, Supplement No. 10 (A/33/10).

¹⁹ Resolution 2625 (XXV), annex.