

Mindful of Article 13, paragraph 1 *a*, of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

Believing that the successful codification and progressive development of the rules of international law governing succession of States in respect of State property, archives and debts would contribute to the development of friendly relations and co-operation among States, irrespective of their differing constitutional and social systems, and would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

1. *Expresses its appreciation* to the International Law Commission for its valuable work on the question of succession of States in respect of State property, archives and debts, and to the Special Rapporteur on the topic for his contribution to this work;

2. *Decides* that an international conference of plenipotentiaries shall be convened to consider the draft articles on succession of States in respect of State property, archives and debts, and to embody the results of its work in an international convention and such other instruments as it may deem appropriate;

3. *Requests* the Secretary-General to convene the United Nations Conference on Succession of States in respect of State Property, Archives and Debts early in 1983 at a place to be determined by the General Assembly at its thirty-seventh session;

4. *Invites* Member States to submit, not later than 1 July 1982, their written comments and observations on the final draft articles on succession of States in respect of State property, archives and debts, prepared by the International Law Commission;

5. *Requests* the Secretary-General to circulate such comments so as to facilitate the discussion on the subject at the thirty-seventh session of the General Assembly;

6. *Decides* to include in the provisional agenda of its thirty-seventh session an item entitled "United Nations Conference on Succession of States in respect of State Property, Archives and Debts".

*92nd plenary meeting
10 December 1981*

36/114. Report of the International Law Commission

The General Assembly,

Having considered the report of the International Law Commission on the work of its thirty-third session,⁴⁹

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 in accordance with the Charter of the United Nations⁵² and to give increased importance to its role in relations among States,

Noting with appreciation that at its thirty-third session the International Law Commission, pursuant to General Assembly resolutions 34/141 of 17 December 1979 and 35/163 of 15 December 1980, completed the second reading of the draft articles on succession of States in respect of State property, archives and debts, and commenced the sec-

ond reading of the draft articles on treaties concluded between States and international organizations or between international organizations,

Noting further with appreciation the progress made at that session by the International Law Commission on State responsibility, international liability for injurious consequences arising out of acts not prohibited by international law, jurisdictional immunities of States and their property and the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier,

Taking note of the intention of the International Law Commission to appoint a new Special Rapporteur on the topic "The law of the non-navigational uses of international watercourses"⁵³ and stressing the desirability of the Commission doing so at the commencement of its thirty-fourth session, thus ensuring continuity of its work on the topic,

Recognizing the importance of referring legal and drafting questions to the Sixth Committee, including topics which might be submitted to the International Law Commission, thus enabling the Commission further to enhance its contribution to the progressive development of international law and its codification,

1. *Takes note* of the report of the International Law Commission on the work of its thirty-third session;

2. *Expresses its appreciation* to the International Law Commission for the work accomplished at that session;

3. *Recommends* that, taking into account the written comments of Governments as well as views expressed in debates in the General Assembly, the International Law Commission should:

(a) Complete at its thirty-fourth session the second reading of the draft articles on treaties concluded between States and international organizations or between international organizations, adopted at its twenty-sixth, twenty-seventh and twenty-ninth to thirty-second sessions, also taking into account the written comments of principal international organizations;

(b) Continue its work aimed at the preparation of draft articles on:

(i) Part two of the draft on responsibility of States for internationally wrongful acts, bearing in mind the need for a second reading of the draft articles constituting part one of the draft;

(ii) International liability for injurious consequences arising out of acts not prohibited by international law;

(iii) The law of the non-navigational uses of international watercourses;

(iv) Jurisdictional immunities of States and their property;

(v) The status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier;

(c) Continue its study of the second part of the topic of relations between States and international organizations;

4. *Endorses* the conclusion reached by the International Law Commission regarding the establishment, at its thirty-fourth session, of general objectives and priorities which would guide its study of the topics on its programme of work within the term of office of Commission members elected at the current session of the General Assembly;⁵⁴

5. *Expresses its satisfaction* with the conclusion of the International Law Commission that it will continue to keep under review the possibility of improving further its present

⁵² Resolution 2625 (XXV), annex.

⁵³ *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 10 (A/36/10 and Corr.1)*, para. 256 (c).

⁵⁴ *Ibid.*, para. 258.

procedures and methods with a view to the timely and effective fulfilment of the tasks entrusted to it;⁵⁵

6. *Reaffirms* its previous decisions concerning research projects and studies required by the work of the International Law Commission and the increased role of the Codification Division of the Office of Legal Affairs of the Secretariat, as well as those concerning the need for continuing provision of summary records of the Commission's meetings;

7. *Urges* Governments to respond as fully and expeditiously as possible to the requests of the International Law Commission for comments and observations on its draft articles and questionnaires and for materials on topics on its programme of work;

8. *Reaffirms* its wish that the International Law Commission will continue to enhance its co-operation with the legal organs of intergovernmental organizations whose work is of interest for the progressive development of international law and its codification;

9. *Expresses the wish* that seminars will continue to be held in conjunction with sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars;

10. *Requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the thirty-sixth session of the General Assembly and to prepare and distribute a topical summary of the debate.

*92nd plenary meeting
10 December 1981*

36/115. 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,⁵⁶

Recalling Article 105 of the Charter of the United Nations, the Convention on Privileges and Immunities of the United Nations⁵⁷ and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,⁵⁸

Recalling further that the problems related to the privileges and immunities of the missions accredited to the United Nations, the security of the missions and the safety of their personnel are of great importance and concern to the Member States, as well as the primary responsibility of the host country,

Noting with deep concern the continued acts of terrorism against the premises and personnel of missions accredited to the United Nations,

Recognizing that effective measures should be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations of the Committee on Relations with the Host Country which appear in paragraph 37 of its report;

2. *Strongly condemns* the acts of terrorism perpetrated against the missions accredited to the United Nations and their personnel;

3. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country and to continue to stress to the host country, in this context, the importance of effective measures to avoid terrorist acts against the missions and their personnel;

4. *Requests* the Committee on Relations with the Host Country to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

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

*92nd plenary meeting
10 December 1981*

36/122. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly.

Reaffirming its support for the purposes and principles set forth in the Charter of the United Nations,

Recalling its resolutions 686 (VII) of 5 December 1952, 992 (X) of 21 November 1955, 2285 (XXII) of 5 December 1967, 2552 (XXIV) of 12 December 1969, 2697 (XXV) of 11 December 1970, 2968 (XXVII) of 14 December 1972 and 3349 (XXIX) of 17 December 1974,

Recalling also its resolutions 2925 (XXVII) of 27 November 1972, 3073 (XXVIII) of 30 November 1973 and 3282 (XXIX) of 12 December 1974 on the strengthening of the role of the United Nations,

Recalling especially its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its resolutions 31/28 of 29 November 1976, 32/45 of 8 December 1977, 33/94 of 16 December 1978, 34/147 of 17 December 1979 and 35/164 of 15 December 1980,

Having considered the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of the session it held in 1981,⁵⁹

Noting that significant progress has been made in fulfilling the mandate of the Special Committee,

Noting also the progress of the debate held during the thirty-sixth session on the item entitled "Peaceful settlement of disputes between States", included in the agenda in pursuance of General Assembly resolution 35/164, especially concerning the consideration of the draft Manila declaration on the peaceful settlement of international disputes,⁶⁰

Noting the importance that pre-session consultations among the members of the Special Committee and other interested States may have in facilitating the fulfilment of the Committee's task,

Considering that the Special Committee has not yet completed the mandate entrusted to it,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;

2. *Decides* that the Special Committee should continue its work in pursuance of the following tasks with which it is entrusted:

⁵⁵ *Ibid.*, para. 260.

⁵⁶ *Ibid.*, Supplement No. 26 (A/36/26).

⁵⁷ Resolution 22 A (I).

⁵⁸ Resolution 169 (II).

⁵⁹ *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 33 (A/36/33).*

⁶⁰ See resolution 36/110 above.