

**37/107. Provisions for a unit of account and adjustment of limitations of liability adopted by the United Nations Commission on International Trade Law**

*The General Assembly,*

Recognizing that many international transport and liability conventions of both a global and a regional character contain limitation of liability provisions, wherein the limitation of liability is expressed in a unit of account,

Noting that the amount fixed in such a convention as the limitation of liability may become seriously affected over time by changes in monetary values, thereby destroying the intended balance of the convention as adopted,

Believing that a preferred unit of account for many conventions, particularly for those of global application, should be the special drawing right as determined by the International Monetary Fund,

Being of the opinion that the conventions should, in any event, contain a provision which would facilitate adjustment of the limit of liability to changes in monetary values,

Taking into consideration any preferential agreements between the States concerned,

Noting that the United Nations Commission on International Trade Law has adopted a provision for a universal unit of account for expressing monetary amounts in international transport and liability conventions and two alternative provisions for adjustment of the limits of liability in such conventions,<sup>23</sup>

1. Recommends that, in the preparation of future international conventions containing limitation of liability provisions or in the revision of existing conventions, the unit of account provision adopted by the United Nations Commission on International Trade Law should be used;

2. Recommends further that in such conventions one of the two alternative provisions for adjustment of the limitation of liability adopted by the United Nations Commission on International Trade Law should be used.

*107th plenary meeting  
16 December 1982*

**37/108. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives**

*The General Assembly,*

Having considered the report of the Secretary-General,<sup>24</sup>

Emphasizing the duty of States to take all appropriate steps, as required by international law:

(a) To protect the premises of diplomatic and consular missions, as well as of missions to international intergovernmental organizations,

(b) To prevent any attacks on diplomatic and consular representatives, as well as on representatives to international intergovernmental organizations and officials of such organizations,

Deeply concerned about the continued large number of violations of, and failures to respect, the inviolability of diplomatic and consular missions and representatives, and about the serious threat presented by such violations to the maintenance of normal and peaceful international relations, which are necessary for co-operation among States,

Expressing its sympathy for the victims of illegal acts against diplomatic and consular representatives and missions as well as against representatives and missions to international intergovernmental organizations and officials of such organizations,

Noting that only a small number of States have so far, in response to the call by the General Assembly at its thirty-fifth and thirty-sixth sessions, become parties to the relevant conventions concerning the inviolability of diplomatic and consular missions and representatives,

Convinced that the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in Assembly resolution 36/33 of 13 November 1981 are important steps in the efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

Desiring to maintain and further strengthen those reporting procedures,

1. Takes note of the report of the Secretary-General;

2. Strongly condemns acts of violence against diplomatic and consular missions and representatives as well as against missions and representatives to international intergovernmental organizations and officials of such organizations;

3. Urges States to observe and to implement the principles and rules of international law governing diplomatic and consular relations and, in particular, to take all necessary measures in conformity with their international obligations effectively to ensure the protection, security and safety of all diplomatic and consular missions and representatives officially present in territory under their jurisdiction, including practicable measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions and representatives;

4. Recommends that States should co-operate closely, *inter alia* through contacts between the diplomatic and consular missions and the receiving State, with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives and with regard to exchange of information on the circumstances of all serious violations thereof;

5. Calls upon States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives, *inter alia* the Vienna Convention on Diplomatic Relations of 1961,<sup>25</sup> the Vienna Convention on Consular Relations of 1963,<sup>26</sup> and the respective optional protocols thereto, as well as the Convention of 1973 on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents;<sup>27</sup>

6. Calls upon States, in cases where a dispute arises in connection with a violation of the principles and rules of international law concerning the inviolability of diplomatic and consular missions and representatives, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General;

7. Invites:

(a) All States to report to the Secretary-General serious violations of the protection, security and safety of diplomatic and consular missions and representatives;

(b) The State in which the violation took place—and, where applicable, the State where the alleged offender is

<sup>23</sup> *Ibid.*, para. 63.

<sup>24</sup> A/37/404 and Corr.1, Add.1 and Add.1/Corr.1 and Add.2-5.

<sup>25</sup> United Nations, *Treaty Series*, vol. 500, No. 7310, p. 95.

<sup>26</sup> *Ibid.*, vol. 596, No. 8638, p. 261.

<sup>27</sup> Resolution 3166 (XXVIII), annex.