

ing parties also to the additional Protocols at the earliest possible date;

4. *Calls upon* all States becoming parties to Protocol I to consider making the declaration provided for under article 90 of that Protocol;

5. *Requests* the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the status of the additional Protocols based on information received from Member States;

6. *Decides* to include in the provisional agenda of its forty-fifth session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts: report of the Secretary-General".

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**43/162. Progressive development of the principles and norms of international law relating to the new international economic order**

*The General Assembly,*

*Bearing in mind* that, in accordance with the Charter of the United Nations, the General Assembly is called upon to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

*Recalling* its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, 3362 (S-VII) of 16 September 1975 on development and international economic co-operation and 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

*Recalling also* its resolutions 34/150 of 17 December 1979 and 35/166 of 15 December 1980, entitled "Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order", and its resolutions 36/107 of 10 December 1981, 37/103 of 16 December 1982, 38/128 of 19 December 1983, 39/75 of 13 December 1984, 40/67 of 11 December 1985, 41/73 of 3 December 1986 and 42/149 of 7 December 1987, entitled "Progressive development of the principles and norms of international law relating to the new international economic order",

*Bearing in mind* the urgent need to adopt measures to reactivate the process of international economic co-operation and the negotiations undertaken for that purpose, particularly in view of the economic difficulties encountered by the developing countries,

*Considering* the close link between the establishment of a just and equitable international economic order and the existence of an appropriate legal framework,

*Recognizing* the need for the codification and progressive development of the principles and norms of international law relating to the new international economic order,

*Recalling* the analytical study<sup>14</sup> submitted to the General Assembly at its thirty-ninth session by the United Nations Institute for Training and Research,

1. *Notes with appreciation* the views and comments submitted by Governments pursuant to resolutions 40/67, 41/73 and 42/149;<sup>15</sup>

2. *Requests* the Secretary-General:

(a) To continue to seek proposals of Member States concerning the most appropriate procedures to be adopted with regard to the consideration of the analytical study, as well as the codification and progressive development of the principles and norms of international law relating to the new international economic order;

(b) To include the proposals received in accordance with subparagraph (a) above in a report to be submitted to the General Assembly at its forty-fourth session;

3. *Recommends* that the Sixth Committee should consider making a final decision at the forty-fourth session of the General Assembly on the question of the appropriate forum within its framework which would undertake the task of completing the elaboration of the process of codification and progressive development of the principles and norms of international law relating to the new international economic order, taking into account the proposals and suggestions which have been or will be submitted by Member States on the matter;

4. *Decides* to include in the provisional agenda of its forty-fourth session the item entitled "Progressive development of the principles and norms of international law relating to the new international economic order".

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**43/163. Peaceful settlement of disputes between States**

*The General Assembly,*

*Having considered* the item entitled "Peaceful settlement of disputes between States",

*Recalling* its resolution 37/10 of 15 November 1982, by which it approved the Manila Declaration on the Peaceful Settlement of International Disputes, annexed thereto,

*Recalling also* its resolutions 38/131 of 19 December 1983, 39/79 of 13 December 1984, 40/68 of 11 December 1985, 41/74 of 3 December 1986 and 42/150 of 7 December 1987,

*Deeply concerned* at the continuation of conflict situations and the emergence of new sources of disputes and tension in international life, and especially at the growing tendency to resort to force or the threat of the use of force and to intervention in internal affairs, and at the escalation of the arms race, which gravely endanger the independence and security of States as well as international peace and security,

*Taking into account* the need to exert the utmost effort in order to settle any situations and disputes between States on the basis of sovereign equality and exclusively by peaceful means, in conformity with the Charter of the United Nations, and to avoid any military actions and hostilities against other States, which can only make more difficult the solution of existing problems,

*Considering* that the question of the peaceful settlement of disputes should represent one of the central concerns for States and for the United Nations and that efforts for strengthening the process of peaceful settlement of disputes should be continued,

<sup>14</sup> A/39/504/Add.1, annex III.

<sup>15</sup> A/41/536, A/42/483 and Add.1 and 2 and A/43/529 and Add.1.

*Emphasizing* the responsibility of every State to promote a policy of respect for the national independence and sovereignty of other States, non-interference in internal affairs and good understanding and co-operation, which is a basic requirement for reducing tension and for establishing a climate of peace and mutual confidence in the world,

*Taking note with interest* of the report of the Secretary-General,<sup>16</sup> submitted in accordance with resolution 42/150, which contains useful opinions, proposals and considerations for a broader implementation of the Manila Declaration,

1. *Again urges* all States to observe and promote in good faith the provisions of the Manila Declaration on the Peaceful Settlement of International Disputes in the settlement of their international disputes;

2. *Stresses* the need to continue efforts to strengthen the process of the peaceful settlement of disputes through progressive development and codification of international law and through enhancing the effectiveness of the United Nations in this field;

3. *Calls upon* Member States to make full use, in accordance with the Charter of the United Nations, of the framework provided by the United Nations for the peaceful settlement of disputes and international problems;

4. *Requests* the Secretary-General to submit to the General Assembly at its forty-fourth session a further report containing the replies of Member States, relevant United Nations bodies and specialized agencies, regional intergovernmental organizations and interested international legal bodies on the implementation of the Manila Declaration and on ways and means of increasing the effectiveness of this instrument;

5. *Decides* that the question of the peaceful settlement of disputes between States shall be considered at its forty-fourth session as a separate agenda item, in conjunction with the item of the provisional agenda entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

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#### 43/164. Draft Code of Crimes against the Peace and Security of Mankind

*The General Assembly,*

*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,

*Recalling* its resolution 177 (II) of 21 November 1947, by which it directed the International Law Commission to prepare a draft code of offences against the peace and security of mankind,

*Having considered* the draft Code of Offences against the Peace and Security of Mankind prepared by the Commission and submitted to the General Assembly in 1954,<sup>17</sup>

*Recalling its belief* that the elaboration of a code of offences against the peace and security of mankind could contribute to strengthening international peace and

security and thus to promoting and implementing the purposes and principles set forth in the Charter,

*Recalling also* its resolution 36/106 of 10 December 1981, in which it invited the Commission to resume its work with a view to elaborating the draft Code and to examine it with the required priority in order to review it, taking into account the results achieved by the process of the progressive development of international law,

*Bearing in mind* that the Commission should fulfil its task on the basis of early elaboration of draft articles thereof,

*Having considered* chapter IV of the report of the Commission on the work of its fortieth session,<sup>18</sup>

*Taking note* of the report of the Secretary-General on the subject,<sup>19</sup>

*Taking into account* the views expressed during the debate on this item at its forty-third session,<sup>20</sup>

*Recognizing* the importance and urgency of the subject,

1. *Invites* the International Law Commission to continue its work on the elaboration of the draft Code of Crimes against the Peace and Security of Mankind including the elaboration of a list of crimes, taking into account the progress made at its fortieth session, as well as the views expressed during the forty-third session of the General Assembly;

2. *Notes* the approach currently envisaged by the Commission in dealing with the judicial authority to be assigned for the implementation of the provisions of the draft Code, and encourages the Commission to explore further all possible alternatives on the question;

3. *Requests* the Secretary-General to continue to seek the views of Member States regarding the conclusions contained in paragraph 69 (c) (i) of the Commission's report on the work of its thirty-fifth session;<sup>21</sup>

4. *Also requests* the Secretary-General to include the views received from Member States in accordance with paragraph 3 above in a report to be submitted to the General Assembly at its forty-fourth session;

5. *Decides* to include in the provisional agenda of its forty-fourth session the item entitled "Draft Code of Crimes against the Peace and Security of Mankind", to be considered in conjunction with the examination of the report of the Commission.

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#### 43/165. United Nations Convention on International Bills of Exchange and International Promissory Notes

*The General Assembly,*

*Recalling* its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

<sup>18</sup> *Ibid.*, Forty-third Session, Supplement No. 10 (A/43/10).

<sup>19</sup> A/43/525 and Add.1.

<sup>20</sup> See *Official Records of the General Assembly, Forty-third Session, Sixth Committee*, 25th to 40th and 48th meetings, and corrigendum.

<sup>21</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 10 (A/38/10).

<sup>16</sup> A/43/530 and Add.1 and 2.

<sup>17</sup> *Official Records of the General Assembly, Ninth Session, Supplement No. 9 (A/2693)*, para. 54.