

6. Any State party to a dispute or directly concerned with a situation, particularly if it intends to request a meeting of the Security Council, should approach the Council, directly or indirectly, at an early stage and, if appropriate, on a confidential basis;

7. The Security Council should consider holding from time to time meetings, including at a high level with the participation, in particular, of Ministers for Foreign Affairs, or consultations to review the international situation and search for effective ways of improving it;

8. In the course of the preparation for the prevention or removal of particular disputes or situations, the Security Council should consider making use of the various means at its disposal, including the appointment of the Secretary-General as rapporteur for a specified question;

9. When a particular dispute or situation is brought to the attention of the Security Council without a meeting being requested, the Council should consider holding consultations with a view to examining the facts of the dispute or situation and keeping it under review, with the assistance of the Secretary-General when needed; the States concerned should have the opportunity of making their views known;

10. In such consultations, consideration should be given to employing such informal methods as the Security Council deems appropriate, including confidential contacts by its President;

11. In such consultations, the Security Council should consider, *inter alia*:

(a) Reminding the States concerned to respect their obligations under the Charter;

(b) Making an appeal to the States concerned to refrain from any action which might give rise to a dispute or lead to the deterioration of the dispute or situation;

(c) Making an appeal to the States concerned to take action which might help to remove, or to prevent the continuation or deterioration of, the dispute or situation;

12. The Security Council should consider sending, at an early stage, fact-finding or good offices missions or establishing appropriate forms of United Nations presence, including observers and peace-keeping operations, as a means of preventing the further deterioration of the dispute or situation in the areas concerned;

13. The Security Council should consider encouraging and, where appropriate, endorsing efforts at the regional level by the States concerned or by regional arrangements or agencies to prevent or remove a dispute or situation in the region concerned;

14. Taking into consideration any procedures that have already been adopted by the States directly concerned, the Security Council should consider recommending to them appropriate procedures or methods of settlement of disputes or adjustment of situations, and such terms of settlement as it deems appropriate;

15. The Security Council, if it is appropriate for promoting the prevention and removal of disputes or situations, should, at an early stage, consider making use of the provisions of the Charter concerning the possibility of requesting the International Court of Justice to give an advisory opinion on any legal question;

16. The General Assembly should consider making use of the provisions of the Charter in order to discuss disputes or situations, when appropriate, and, in accordance with Article 11 and subject to Article 12 of the Charter, making recommendations;

17. The General Assembly should consider, where appropriate, supporting efforts undertaken at the regional level by the States concerned or by regional arrangements or agencies, to prevent or remove a dispute or situation in the region concerned;

18. If a dispute or situation has been brought before it, the General Assembly should consider including in its recommendations making more use of fact-finding capabilities, in accordance with Article 11 and subject to Article 12 of the Charter;

19. The General Assembly, if it is appropriate for promoting the prevention and removal of disputes or situations, should consider making use of the provisions of the Charter concerning the possibility of requesting the International Court of Justice to give an advisory opinion on any legal question;

20. The Secretary-General, if approached by a State or States directly concerned with a dispute or situation, should respond swiftly by urging the States to seek a solution or adjustment by peaceful means of their own choice under the Charter and by offering his good offices or other means at his disposal, as he deems appropriate;

21. The Secretary-General should consider approaching the States directly concerned with a dispute or situation in an effort to prevent it from becoming a threat to the maintenance of international peace and security;

22. The Secretary-General should, where appropriate, consider making full use of fact-finding capabilities, including, with the consent of the host State, sending a representative or fact-finding missions to areas where a dispute or a situation exists; where necessary, the Secretary-General should also consider making the appropriate arrangements;

23. The Secretary-General should be encouraged to consider using, at as early a stage as he deems appropriate, the right that is accorded to him under Article 99 of the Charter;

24. The Secretary-General should, where appropriate, encourage efforts undertaken at the regional level to prevent or remove a dispute or situation in the region concerned;

25. Should States fail to prevent the emergence or aggravation of a dispute or situation, they shall continue to seek a settlement by peaceful means in accordance with the Charter;

2. *Declares* that nothing in the present Declaration shall be construed as prejudicing in any manner the provisions of the Charter, including those contained in Article 2, paragraph 7, thereof, or the rights and duties of States, or the scope of the functions and the powers of United Nations organs under the Charter, in particular those relating to the maintenance of international peace and security;

3. *Also declares* that nothing in the present Declaration could in any way prejudice the right to self-determination, freedom and independence of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>5</sup> particularly peoples under colonial or racist régimes or other forms of alien domination.

#### 43/160. Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States

##### A

*The General Assembly,*

*Recalling* its resolutions 35/167 of 15 December 1980, 37/104 of 16 December 1982, 39/76 of 13 December 1984 and 41/71 of 3 December 1986,

*Taking note* of the report of the Secretary-General,<sup>8</sup>

*Recalling also* its resolution 3237 (XXIX) of 22 November 1974, by which it granted observer status to the Palestine Liberation Organization,

*Recalling further* its resolution 31/152 of 20 December 1976, by which it granted observer status to the South West Africa People's Organization,

*Desirous* of enhancing the effective role played by these national liberation movements,

*Bearing in mind* the necessity of facilitating the work of these organizations,

1. *Decides* that the Palestine Liberation Organization and the South West Africa People's Organization are entitled to have their communications relating to the sessions and work of the General Assembly issued and circulated directly, and without intermediary, as official documents of the Assembly;

2. *Decides also* that the Palestine Liberation Organization and the South West Africa People's Organization are entitled to have their communications relating to the sessions and work of all international conferences convened under the auspices of the General Assembly of the United

<sup>8</sup> A/43/528 and Add.1 and 2.

Nations issued and circulated directly, and without intermediary, as official documents of these conferences;

3. *Authorizes* the Secretariat to issue and circulate as official documents of the United Nations, under the appropriate symbol of other organs or conferences of the United Nations, communications submitted directly, without intermediary, by the Palestine Liberation Organization and the South West Africa People's Organization, on matters relative to the work of these organs and conferences;

4. *Requests* the Secretary-General to take the necessary steps for the implementation of the present resolution.

76th plenary meeting  
9 December 1988

## B

### *The General Assembly,*

*Recalling* its resolutions 35/167 of 15 December 1980, 37/104 of 16 December 1982, 39/76 of 13 December 1984 and 41/71 of 3 December 1986,

*Recalling also* its resolutions 3237 (XXIX) of 22 November 1974, 3280 (XXIX) of 10 December 1974 and 31/152 of 20 December 1976,

*Taking note* of the report of the Secretary-General,<sup>8</sup>

*Bearing in mind* the resolution of the United Nations Conference on the Representation of States in Their Relations with International Organizations relating to the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States,<sup>9</sup>

*Noting* that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, of 14 March 1975,<sup>10</sup> regulates only the representation of States in their relations with international organizations,

*Taking into account* the current practice of inviting the above-mentioned national liberation movements to participate as observers in the sessions of the General Assembly, specialized agencies and other organizations of the United Nations system and in the work of the conferences held under the auspices of such international organizations,

*Convinced* that the participation of the national liberation movements referred to above in the work of international organizations helps to strengthen international peace and co-operation,

*Desirous* of ensuring the effective participation of the above-mentioned national liberation movements as observers in the work of international organizations and of regulating, to that end, their status and the facilities, privileges and immunities necessary for the performance of their functions,

*Noting* that many States have recognized those national liberation movements and have granted them facilities, privileges and immunities in their countries,

1. *Urges* all States that have not done so, in particular those which act as host to international organizations or to conferences convened by, or held under the auspices of, in-

<sup>9</sup> See *Official Records of the United Nations Conference on the Representation of States in Their Relations with International Organizations, Vienna, 4 February-14 March 1975*, vol. II (United Nations publication, Sales No. E.75.V.12), document A/CONF.67/15, annex.

<sup>10</sup> *Ibid.*, vol. II, p. 207.

ternational organizations of a universal character, to consider as soon as possible the question of ratifying, or acceding to, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

2. *Calls once more upon* the States concerned to accord to the delegations of the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States and accorded observer status by international organizations, the facilities, privileges and immunities necessary for the performance of their functions, in accordance with the provisions of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

3. *Requests* the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

76th plenary meeting  
9 December 1988

### **43/161. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts**

#### *The General Assembly,*

*Recalling* its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984 and 41/72 of 3 December 1986,

*Having considered* the report of the Secretary-General<sup>11</sup> on the status of the Protocols Additional<sup>12</sup> to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts,

*Convinced* of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments pending the earliest possible termination of such conflicts,

*Mindful* of the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

*Particularly mindful* of the need to protect the civilian population, especially women and children, against the effects of hostilities, and of the role of the International Committee of the Red Cross, the national Red Cross and Red Crescent societies and civil defence organizations in this respect,

*Noting with appreciation* the continuing efforts of the International Committee of the Red Cross to promote and to disseminate knowledge of the two additional Protocols,

1. *Notes with appreciation* the virtually universal acceptance of the Geneva Conventions of 1949<sup>13</sup> and the increasingly wide acceptance of the two additional Protocols of 1977;

2. *Notes*, however, the fact that, in comparison with the Geneva Conventions, the number of States parties to the two additional Protocols is still limited;

3. *Appeals* to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becom-

<sup>11</sup> A/43/532.

<sup>12</sup> A/32/144, annexes I and II.

<sup>13</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.