

## CHAPTER IX. FINAL PROVISIONS

*Article 85*

The Secretary-General of the United Nations is hereby designated as the Depositary for this Convention.

*Article 86*

1. This Convention is open for signature by all States at the Headquarters of the United Nations, New York, until 30 June 1990.
2. This Convention is subject to ratification, acceptance or approval by the signatory States.
3. This Convention is open for accession by all States which are not signatory States as from the date it is open for signature.
4. Instruments of ratification, acceptance, approval and accession are to be deposited with the Secretary-General of the United Nations.

*Article 87*

1. If a Contracting State has two or more territorial units in which, according to its constitution, different systems of law are applicable in relation to the matters dealt with in this Convention, it may, at the time of signature, ratification, acceptance, approval or accession, declare that this Convention is to extend to all its territorial units or only to one or more of them, and may amend its declaration by submitting another declaration at any time.
2. These declarations are to be notified to the Depositary and are to state expressly the territorial units to which the Convention extends.
3. If a Contracting State makes no declaration under paragraph 1 of this article, the Convention is to extend to all territorial units of that State.

*Article 88*

1. Any State may declare at the time of signature, ratification, acceptance, approval or accession that its courts will apply the Convention only if both the place indicated in the instrument where the bill is drawn, or the note is made, and the place of payment indicated in the instrument are situated in Contracting States.
2. No other reservations are permitted.

*Article 89*

1. This Convention enters into force on the first day of the month following the expiration of twelve months after the date of deposit of the tenth instrument of ratification, acceptance, approval or accession.
2. When a State ratifies, accepts, approves or accedes to this Convention after the deposit of the tenth instrument of ratification, acceptance, approval or accession, this Convention enters into force in respect of that State on the first day of the month following the expiration of twelve months after the date of deposit of its instrument of ratification, acceptance, approval or accession.

*Article 90*

1. A Contracting State may denounce this Convention by a formal notification in writing addressed to the Depositary.
2. The denunciation takes effect on the first day of the month following the expiration of six months after the notification is received by the Depositary. Where a longer period for the denunciation to take effect is specified in the notification, the denunciation takes effect upon the expiration of such longer period after the notification is received by the Depositary. The Convention remains applicable to instruments drawn or made before the date at which the denunciation takes effect.

DONE at ..., this ... day of ..., one thousand nine hundred and ... in a single original, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized by their respective Governments, have signed this Convention.

#### 43/166. Report of the United Nations Commission on International Trade Law on the work of its twenty-first session

*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,

Recalling also its resolutions 3201 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) of 16 September 1975,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having regard for the need to take into account the different social and legal systems in harmonizing and unifying international trade law,

Stressing the value of participation by States at all levels of economic development, including developing countries, in the process of harmonizing and unifying international trade law,

Having considered the report of the United Nations Commission on International Trade Law on the work of its twenty-first session,<sup>25</sup>

Recognizing the success of the seminar on international trade law held at Maseru from 25 to 30 July 1988 in cooperation with the Preferential Trade Area of Eastern and Southern African States,

Recognizing the need for the Commission to have adequate sources of funding for its programme of training and assistance in international trade law,

Noting that the Convention on the Limitation Period in the International Sale of Goods, of 14 June 1974,<sup>26</sup> came into force on 1 August 1988,

Aware that the United Nations Convention on the Carriage of Goods by Sea, of 31 March 1978,<sup>27</sup> was prepared at the request of developing countries and is likely to come into force in the near future,

Convinced that widespread adherence to the conventions emanating from the work of the Commission would benefit the peoples of all States,

1. Takes note with appreciation of the report of the United Nations Commission on International Trade Law on the work of its twenty-first session;
2. Commends the Commission for the progress made in its work and for having reached decisions by consensus;
3. Calls upon the Commission to continue to take account of the relevant provisions of the resolutions concerning the new international economic order, as adopted by the General Assembly at its sixth<sup>28</sup> and seventh<sup>29</sup> special sessions;

<sup>25</sup> Official Records of the General Assembly, Forty-third Session, Supplement No. 17 (A/43/17).

<sup>26</sup> Official Records of the United Nations Conference on Prescription (Limitation) in the International Sale of Goods, New York, 20 May-14 June 1974 (United Nations publication, Sales No. E.74.V.8), p. 101.

<sup>27</sup> Official Records of the United Nations Conference on the Carriage of Goods by Sea, Hamburg, 6-31 March 1978 (United Nations publication, Sales No. E.80.VIII.1), document A/CONF.89/13, annex I.

<sup>28</sup> Resolutions 3201 (S-VI) and 3202 (S-VI).

<sup>29</sup> Resolution 3362 (S-VII).

4. *Reaffirms* the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to co-ordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law, and, in this connection, recommends that the Commission, through its secretariat, should continue to maintain close co-operation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

5. *Reaffirms also* the importance, in particular for developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law and the desirability for it to sponsor seminars and symposia, in particular those organized on a regional basis, to promote such training and assistance, and, in this connection:

(a) Expresses its appreciation to the Kingdom of Lesotho and the Preferential Trade Area of Eastern and Southern African States for their collaboration with the secretariat of the Commission in organizing the seminar on international trade law held at Maseru and to the Governments whose contributions enabled the seminar to take place;

(b) Welcomes the initiatives being undertaken by the Commission and its secretariat to collaborate with other organizations and institutions in the organization of regional seminars;

(c) Invites Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law symposia, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and for the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

6. *Repeats its invitation* to those States which have not yet done so to consider ratifying or acceding to the following conventions:

(a) Convention on the Limitation Period in the International Sale of Goods, of 14 June 1974;<sup>26</sup>

(b) Protocol amending the Convention on the Limitation Period in the International Sale of Goods, of 11 April 1980;<sup>30</sup>

(c) United Nations Convention on the Carriage of Goods by Sea, of 31 March 1978;<sup>27</sup>

(d) United Nations Convention on Contracts for the International Sale of Goods, of 11 April 1980;<sup>31</sup>

7. *Welcomes* the decision of the Commission to collect and disseminate court decisions and arbitral awards relating to legal texts emanating from its work so as to further the uniformity of their application in practice;

8. *Renews its request* to the Secretary-General to make increased efforts to promote the adoption and use of the texts emanating from the work of the Commission;

9. *Recommends* that the Commission should continue its work on the topics included in its programme of work;

10. *Expresses its appreciation* for the important role played by the International Trade Law Branch of the Office of Legal Affairs of the Secretariat, as the substantive secretariat of the Commission, in assisting in the structuring and implementation of the work programme of the Commission, and invites the Secretary-General to consider taking whatever measures may be necessary, within existing resources, to provide the Commission with adequate substantive secretariat support.

76th plenary meeting  
9 December 1988

**43/167. 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>32</sup>

*Conscious* of the need to develop and strengthen friendly relations and co-operation among States,

*Convinced* that respect for the principles and rules of international law governing diplomatic and consular relations is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

*Alarmed* by the repeated acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,

*Concerned* at the failure to respect the inviolability of diplomatic and consular missions and representatives,

*Also concerned* at the abuse of diplomatic or consular privileges and immunities, particularly if acts of violence are involved,

*Emphasizing* the duty of States to take all appropriate measures as required by international law, including measures of a preventive nature, and to bring offenders to justice,

*Welcoming* measures already taken by States to this end in conformity with their international obligations,

*Convinced* that the role of the United Nations, which includes the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in later Assembly resolutions, is important in promoting efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

*Reaffirming* its resolution 42/154 of 7 December 1987,

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, and emphasizes that such acts can never be justified;

3. *Urges* States to observe, implement and enforce the principles and rules of international law governing diplomatic and consular relations and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of the missions, representatives

<sup>30</sup> *Official Records of the United Nations Conference on Contracts for the International Sale of Goods. Vienna, 10 March-11 April 1980* (United Nations publication, Sales No. E.82.V.5), p. 191.

<sup>31</sup> *Ibid.*, p. 178.

<sup>32</sup> A/43/527 and Add.1-3.