

in the penultimate preambular paragraph of the present resolution;

15. *Also requests* the Secretary-General to seek the views of Member States on the ways and means of enhancing the role of the United Nations and the relevant specialized agencies in combating international terrorism, as well as on proposals made during the debate on this item in the Sixth Committee at the forty-fourth session of the General Assembly;²²

16. *Further requests* the Secretary-General to follow up, as appropriate, the implementation of the present resolution and to submit a report in this respect to the General Assembly at its forty-sixth session;

17. *Considers* that nothing in the present resolution could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter of the United Nations, of peoples forcibly deprived of that right 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, particularly peoples under colonial and racist régimes or other forms of alien domination, or the right of these peoples to struggle legitimately to this end and to seek and receive support in accordance with the principles of the Charter, the above-mentioned Declaration and the relevant General Assembly resolutions, including the present resolution;

18. *Decides* to include the item in the provisional agenda of its forty-sixth session.

*72nd plenary meeting
4 December 1989*

44/30. 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, 42/149 of 7 December 1987 and 43/162 of 9 December 1988, entitled "Progressive development of the principles and norms of interna-

tional 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 study²³ 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, 42/149 and 43/162;²⁴

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 paragraph 2 (a) of the present resolution in a report to be submitted to the General Assembly at its forty-sixth session;

3. *Recommends* that the Sixth Committee should consider making a final decision at the forty-sixth 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-sixth session the item entitled "Progressive development of the principles and norms of international law relating to the new international economic order".

*72nd plenary meeting
4 December 1989*

44/31. Peaceful settlement of disputes between States

The General Assembly,

Having examined 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, 42/150 of 7 December 1987 and 43/163 of 9 December 1988,

²² See *Official Records of the General Assembly, Forty-fourth Session, Sixth Committee, 17th to 23rd and 48th meetings, and corrigendum.*

²³ A/39/504/Add.1, annex III.

²⁴ A/41/536, A/42/483 and Add.1 and 2, A/43/529 and Add.1 and A/44/455 and Add.1.

Recalling further its resolution 43/51 of 5 December 1988, by which it approved the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field, annexed thereto,

Considering that the world political climate has improved and that, although sources of disputes and tension in international relations still remain, including the use of force and the threat thereof, encouraging progress has been made towards finding peaceful solutions to regional and global problems,

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,

Emphasizing the responsibility of every State for the promotion of 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,

Bearing in mind the decision in its resolution 44/23 of 17 November 1989 to proclaim the period 1990-1999 the United Nations Decade of International Law, which will contribute to the strengthening of all means of peaceful settlement of disputes between States,

Taking note with interest of the report of the Secretary-General,²⁵ submitted in accordance with its resolution 43/163, 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-fifth session a further report containing the replies of Member States, relevant United Nations bodies and specialized agencies, regional inter-governmental 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-fifth 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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44/32. 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 1954,²⁶

Reaffirming 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 III of the report of the Commission on the work of its forty-first session,²⁷

Taking note of the report of the Secretary-General on the subject,²⁸

Taking into account the views expressed during the debate on this item at its forty-fourth session,

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 forty-first session, as well as the views expressed during the forty-fourth 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;²⁹

²⁶ *Official Records of the General Assembly, Ninth Session, Supplement No. 9 (A/2693)*, para. 54.

²⁷ *Ibid.*, *Forty-fourth Session, Supplement No. 10 (A/44/10)*.

²⁸ *A/44/465*.

²⁹ *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 10 (A/38/10)*.

²⁵ *A/44/460 and Add.1*.