

*Noting with appreciation* that, in paragraph 175 of its report, the International Law Commission stated that special attention was given to the need to take a formal decision regarding the commencement of work on the topic of the law of the non-navigational uses of international watercourses, in conformity with General Assembly resolutions 2669 (XXV) of 8 December 1970, 2780 (XXVI) of 3 December 1971 and 2926 (XXVII) of 28 November 1972,

1. *Takes note* of the report of the International Law Commission on the work of its twenty-fifth session;

2. *Expresses its appreciation* to the International Law Commission for the work it accomplished at that session;

3. *Recommends* that the International Law Commission should:

(a) Complete at its twenty-sixth session, in the light of comments received from Member States, the second reading of the draft articles on succession of States in respect of treaties adopted at its twenty-fourth session;

(b) Continue on a priority basis at its twenty-sixth session its work on State responsibility, taking into account the views and considerations referred to in General Assembly resolutions 1765 (XVII) of 20 November 1962, 1902 (XVIII) of 18 November 1963, 2400 (XXIII) of 11 December 1968 and 2926 (XXVII) of 28 November 1972, with a view to the preparation of a first set of draft articles on responsibility of States for internationally wrongful acts;

(c) Undertake at an appropriate time a separate study of the topic of international liability for injurious consequences arising out of the performance of other activities;

(d) Proceed with the preparation of draft articles on succession of States in respect of matters other than treaties, taking into account the views and considerations referred to in the relevant resolutions of the General Assembly;

(e) Proceed with the preparation of draft articles on the most-favoured-nation clause;

(f) Continue its study of the question of treaties concluded between States and international organizations or between two or more international organizations;

4. *Recommends further* that the International Law Commission should at its twenty-sixth session commence its work on the law of non-navigational uses of international watercourses by, *inter alia*, adopting preliminary measures provided for under article 16 of its statute;

5. *Approves* the programme of work planned by the International Law Commission for 1974 and a twelve-week session for that year;

6. *Requests* the Secretary-General to complete the supplementary report on the legal problems relating to the non-navigational uses of international watercourses, requested by the General Assembly in resolution 2669 (XXV), in time to submit it to the International Law Commission before the beginning of its twenty-sixth session;

7. *Expresses the wish* that, in conjunction with future sessions of the International Law Commission, other seminars might be organized, which should continue to ensure the participation of an increasing number of jurists of developing countries;

8. *Requests* the Secretary-General to forward to the International Law Commission the records of the discussion on the report of the Commission at the twenty-eighth session of the General Assembly.

*2186th plenary meeting  
30 November 1973*

### **3072 (XXVIII). United Nations Conference on the Representation of States in Their Relations with International Organizations**

*The General Assembly,*

*Recalling* that, by its resolution 2966 (XXVII) of 14 December 1972, it decided that an international conference of plenipotentiaries should be convened as soon as practicable to consider the draft articles on the representation of States in their relations with international organizations, adopted by the International Law Commission at its twenty-third session,<sup>5</sup> and to embody the results of its work in an international convention and such other instruments as it may deem appropriate,

*Recalling further* that, in its resolution 2780 (XXVI) of 3 December 1971, it expressed its appreciation to the International Law Commission for its valuable work on the question of representation of States in their relations with international organizations and to the Special Rapporteur on the topic for his contribution to this work,

*Having considered* the memorandum on the methods of work of the conference<sup>6</sup> submitted by the Secretary-General in pursuance of resolution 2966 (XXVII),

*Noting* that an invitation has been extended by the Government of Austria to hold at Vienna the conference on the representation of States in their relations with international organizations,

1. *Decides* that the United Nations Conference on the Representation of States in Their Relations with International Organizations, referred to in General Assembly resolution 2966 (XXVII), will be held early in 1975 at Vienna;

2. *Invites* the specialized agencies, the International Atomic Energy Agency and other interested intergovernmental organizations to send observers to the Conference;

3. *Refers* to the Conference as the basic proposal for its consideration the draft articles on the representation of States in their relations with international organizations adopted by the International Law Commission at its twenty-third session;

4. *Invites* the States and intergovernmental organizations which have not already done so to submit to the Secretary-General not later than 1 September 1974, for circulation to participants in the Conference, their comments and observations on the draft articles on the representation of States in their relations with international organizations adopted by the International Law Commission at its twenty-third session;

5. *Requests* the Secretary-General to arrange for the presence at the Conference, as an expert, of the International Law Commission's Special Rapporteur on the topic of relations between States and international organizations;

<sup>5</sup> *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 10 (A/8410/Rev.1), chap. II, sect. D.*  
<sup>6</sup> A/9167.

6. *Requests* the Secretary-General to submit to the Conference all relevant documentation and recommendations relating to its methods of work and procedures and to arrange for the necessary staff, facilities and services which it will require, including the provision of summary records;

7. *Decides* to determine at its twenty-ninth session the question of participation in the United Nations Conference on the Representation of States in Their Relations with International Organizations, to be held in 1975, and to include in the provisional agenda of that session an item entitled "Participation in the United Nations Conference on the Representation of States in Their Relations with International Organizations, to be held in 1975".

2186th plenary meeting  
30 November 1973

### 3102 (XXVIII). Respect for human rights in armed conflicts

*The General Assembly,*

*Reaffirming* that only complete respect for the Charter of the United Nations and general and complete disarmament under effective international control can bring about full guarantees against armed conflicts and the suffering caused by such conflicts, and determined to continue all efforts to these ends,

*Conscious* of the fact that armed conflicts continue to cause untold human suffering and material devastation,

*Convinced* that in all such conflicts rules designed to reduce the suffering as much as possible and to increase the protection of non-combatants and civilian objects are needed,

*Reaffirming* the urgent need to ensure full and effective application by all parties to armed conflicts of existing legal rules relating to such conflicts, in particular the Hague Conventions of 1899 and 1907,<sup>7</sup> the Geneva Protocol of 1925<sup>8</sup> and the Geneva Conventions of 1949,<sup>9</sup> and to supplement these rules by new ones which take into account the modern developments in methods and means of warfare and which are practicable,

*Welcoming* the convocation by the Swiss Federal Council of the first session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, to be held at Geneva from 20 February to 29 March 1974, with a possible second session in 1975,

*Welcoming* as an excellent basis for discussion at this Conference the draft Additional Protocols to the Geneva Conventions of 1949 prepared by the International Committee of the Red Cross after thorough consultations with government experts, particularly during conferences held at Geneva in 1971 and 1972,

*Recalling* the successive resolutions adopted in the preceding years by the United Nations relating to human rights in armed conflicts, in particular General Assembly resolutions 2852 (XXVI) and 2853 (XXVI) of 20 December 1971 and 3032 (XXVII) of 18 December 1972,

*Noting* resolution XIII adopted by the twenty-first International Conference of the Red Cross, held at Istanbul in 1969,<sup>10</sup> and the resolution on the reaffirmation and development of international humanitarian law adopted by the twenty-second International Conference of the Red Cross, held at Teheran in 1973,<sup>11</sup>

*Noting with appreciation* the report of the Secretary-General on respect for human rights in armed conflicts,<sup>12</sup>

*Recalling* resolution 3058 (XXVIII) of 2 November 1973 in which the General Assembly invited the Diplomatic Conference to submit its comments and advice regarding the draft articles on the protection of journalists engaged in dangerous missions in areas of armed conflict,

*Recalling* its resolution 3076 (XXVIII) of 6 December 1973 concerning napalm and other incendiary weapons and all aspects of their possible use as well as the resolution on the prohibition or restriction of use of certain weapons adopted by the twenty-second International Conference of the Red Cross, held at Teheran in 1973,<sup>13</sup> inviting the Diplomatic Conference to take up the question of rules on the prohibition or restriction of use of specific conventional weapons which may cause unnecessary suffering or have indiscriminate effects,

*Welcoming*, in this regard, the survey prepared by the Secretariat on existing rules of international law concerning the prohibition or restriction of use of specific weapons,<sup>14</sup>

1. *Expresses its appreciation* to the Swiss Federal Council for convoking in 1974 the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts and to the International Committee of the Red Cross for the extensive work it has performed in preparing the draft Additional Protocols to the Geneva Conventions of 1949;

2. *Urges* that the national liberation movements recognized by the various regional intergovernmental organizations concerned be invited to participate in the Diplomatic Conference as observers in accordance with the practice of the United Nations;

3. *Urges* all participants in the Diplomatic Conference to do their utmost to reach agreement on additional rules which may help to alleviate the suffering brought about by armed conflicts and to protect non-combatants and civilian objects in such conflicts;

4. *Calls upon* all parties to armed conflicts to acknowledge and to comply with their obligations under the humanitarian instruments and to observe the international humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949;

5. *Urges* that instruction concerning such rules be provided to armed forces and information concerning the same rules be given to civilians everywhere, with a view to securing their strict observance;

6. *Requests again* the Secretary-General to encourage the study and teaching of principles of international humanitarian rules applicable in armed conflicts;

<sup>7</sup> Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

<sup>8</sup> League of Nations, *Treaty Series*, vol. XCIV, No. 2138, p. 65.

<sup>9</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

<sup>10</sup> See A/7720, annex I, sect. D.

<sup>11</sup> A/9123/Add.2, annex, sect. IV.

<sup>12</sup> A/9123 and Corr.1 and Add.1 and 2.

<sup>13</sup> A/9123/Add.2, annex, sect. III.

<sup>14</sup> A/9215.