

and safety of the missions accredited to the United Nations and their personnel, including practicable measures to prohibit illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts and activities against the security and safety of such missions and representatives;

4. *Reiterates* that adherence of all Member States to the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations<sup>49</sup> and to other relevant agreements is an indispensable condition for the normal functioning of the Organization and permanent missions in New York and underlines the necessity for avoiding any action not consistent with obligations in accordance with the Agreement and international law;

5. *Urges* the host country and the Secretary-General to seek a solution that is in accord with the Agreement with regard to the recent legislation adopted by the host country;

6. *Calls upon* countries, especially the host country, to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and all missions accredited to it in the strengthening of international peace and security;

7. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country and to continue to stress the importance of effective measures to avoid acts of terrorism, violence and harassment against the missions and their personnel, as well as the need for any pertinent legislation adopted by the host country to be in accord with the Agreement and its other relevant obligations;

8. *Requests* the Committee on Relations with the Host Country to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

9. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Report of the Committee on Relations with the Host Country".

*112th plenary meeting  
11 December 1985*

#### **40/78. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization**

*The General Assembly,*

*Reaffirming* its support for the purposes and principles set forth in the Charter of the United Nations,

*Recalling* its resolutions 686 (VII) of 5 December 1952, 992 (X) of 21 November 1955, 2285 (XXII) of 5 December 1967, 2552 (XXIV) of 12 December 1969, 2697 (XXV) of 11 December 1970, 2968 (XXVII) of 14 December 1972 and 3349 (XXIX) of 17 December 1974,

*Recalling also* its resolutions 2925 (XXVII) of 27 November 1972, 3073 (XXVIII) of 30 November 1973 and 3282 (XXIX) of 12 December 1974 on the strengthening of the role of the United Nations,

*Recalling especially* its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its resolutions 31/28 of 29 November 1976, 32/45 of 8 December 1977, 33/94 of 16 December 1978, 34/147 of 17 Decem-

ber 1979, 35/164 of 15 December 1980, 36/122 of 11 December 1981, 37/114 of 16 December 1982, 38/141 of 19 December 1983 and 39/88 of 13 December 1984,

*Taking note* of the reports of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh,<sup>50</sup> thirty-ninth<sup>51</sup> and fortieth<sup>52</sup> sessions, as well as of the views and comments expressed on them by Member States,

*Having considered* the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of the session it held in 1985,<sup>53</sup>

*Taking into account* the work accomplished on the working paper on the prevention and removal of threats to the peace and of situations which may lead to international friction or give rise to a dispute,<sup>54</sup>

*Taking into account* the elaboration by the Special Committee of the outline for the handbook on the peaceful settlement of disputes between States and the conclusions thereon,<sup>20</sup>

*Noting* the importance that pre-session consultations among the members of the Special Committee and other interested States may have in facilitating the fulfilment of its task,

*Considering* that the Special Committee has not yet fulfilled the mandate entrusted to it,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;

2. *Decides* that the Special Committee shall convene its next session from 7 April to 2 May 1986;

3. *Requests* the Special Committee at its session in 1986:

(a) To accord priority, by devoting more time, to the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations, in particular the Security Council, and to enable it to discharge fully its responsibilities under the Charter in this field; this necessitates the examination, *inter alia*, of the prevention and removal of threats to the peace and of situations which may lead to international friction or give rise to a dispute; the Special Committee will work on all questions with the aim of submitting its conclusions to the General Assembly, in accordance with paragraph 5 below, for the adoption of such recommendations as the Assembly deems appropriate; in doing so, the Special Committee should work expeditiously on the working paper on the prevention and removal of threats to the peace and of situations that may lead to international friction or give rise to a dispute, or any revision thereof, as well as other proposals which might be made on that question, with a view to completing its consideration thereof;

(b) To continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(i) To continue consideration of the proposal contained in the working papers on the establishment of a commission on good offices, mediation and conciliation;<sup>19</sup>

(ii) To examine the progress report of the Secretary-General on the elaboration of the draft handbook on the peaceful settlement of disputes between States;

<sup>49</sup> Resolution 169 (II).

<sup>50</sup> Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1).

<sup>51</sup> *Ibid.*, Thirty-ninth Session, Supplement No. 1 (A/39/1).

<sup>52</sup> *Ibid.*, Fortieth Session, Supplement No. 1 (A/40/1).

<sup>53</sup> *Ibid.*, Supplement No. 33 (A/40/33 and Corr.1).

<sup>54</sup> *Ibid.*, sect. III.

4. *Requests* the Special Committee to keep the question of the rationalization of the procedures of the United Nations under active review;

5. *Also requests* the Special Committee to be mindful of the importance of reaching general agreement whenever that has significance for the outcome of its work;

6. *Urges* members of the Special Committee to participate fully in its work in fulfilment of the mandate entrusted to it;

7. *Decides* that the Special Committee shall accept the participation of observers of Member States, including in the meetings of its working groups;

8. *Invites* Governments to submit or to bring up to date, if they deem it necessary, their observations and proposals, in accordance with General Assembly resolution 3499 (XXX);

9. *Requests* the Secretary-General to render all assistance to the Special Committee;

10. *Requests* the Secretary-General to continue the preparation of a draft handbook on the peaceful settlement

of disputes between States, on the basis of the outline elaborated by the Special Committee and in the light of the views expressed in the course of the discussions in the Sixth Committee<sup>21</sup> and in the Special Committee,<sup>22</sup> and to report to the Special Committee at its session in 1986 on the progress of work, before submitting to it the draft handbook in its final form, with a view to its approval at a later stage;

11. *Requests* the Special Committee to submit a report on its work to the General Assembly at its forty-first session;

12. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

*112th plenary meeting  
11 December 1985*