

States exclusively by peaceful means and to avoid any military action 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,

Taking note of the working papers on the establishment of a commission on good offices, mediation and conciliation for the settlement of disputes and the prevention of conflicts among States,¹¹ submitted to the General Assembly by Nigeria, the Philippines and Romania,

Taking into account the elaboration by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization of the outline for a handbook on the peaceful settlement of disputes between States and the conclusions thereon,¹²

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 the progressive development and codification of international law and through enhancing the effectiveness of the United Nations in this field;

3. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, during its session in 1985, to continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(a) To continue the consideration of the proposal contained in the above-mentioned working papers;

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

4. *Requests* the Secretary-General to prepare, 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 and in the Special Committee, a draft handbook on the peaceful settlement of disputes between States, and to report to the Special Committee at its session in 1985 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;

5. *Decides* to include in the provisional agenda of its fortieth session the item entitled "Peaceful settlement of disputes between States".

*99th plenary meeting
13 December 1984*

39/80. Draft Code of Offences 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,

¹¹ A/38/343, annex; A/C.6/39/L.2.

¹² See *Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 33 (A/39/33)*, chap. III, sect. B.

¹³ *Ibid.*, Ninth Session, Supplement No. 9 (A/2693), para. 54.

¹⁴ *Ibid.*, Thirty-ninth Session, Supplement No. 10 (A/39/10).

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 International Law Commission and submitted to the General Assembly in 1954,¹³

Recalling 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 of the United Nations,

Recalling also its resolution 36/106 of 10 December 1981, in which it invited the International Law 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 International Law Commission should fulfil its task on the basis of the early elaboration of draft articles,

Having considered chapter II of the report of the International Law Commission on the work of its thirty-sixth session,¹⁴ in particular paragraph 65 of the report, containing the Commission's conclusions,

Taking note of the report of the Secretary-General,¹⁵

Taking into account the views expressed during the debate on this item at the current session,¹⁶

Recognizing the importance and the urgency of the subject,

1. *Requests* the International Law Commission to continue its work on the elaboration of the draft Code of Offences against the Peace and Security of Mankind by elaborating an introduction as well as a list of the offences, taking into account the progress made at its thirty-sixth session, as well as the views expressed during the thirty-ninth session of the General Assembly;

2. *Requests* the Secretary-General to seek the views of Member States and intergovernmental organizations regarding the conclusions contained in paragraph 65 of the report of the International Law Commission¹⁴ and to include them in a report to be submitted to the General Assembly at its fortieth session with a view to adopting, at the appropriate time, the necessary decision thereon;

3. *Decides* to include in the provisional agenda of its fortieth session the item entitled "Draft Code of Offences against the Peace and Security of Mankind", to be considered in conjunction with the consideration of the report of the International Law Commission.

*99th plenary meeting
13 December 1984*

39/81. Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations¹⁷

The General Assembly,

Recalling its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the

¹⁵ A/39/439 and Add.1-5.

¹⁶ See *Official Records of the General Assembly, Thirty-ninth Session, Sixth Committee, 47th-49th and 63rd meetings*.

¹⁷ See also sect. X A, decision 39/326.