

4. *Notes with satisfaction* the decision of the United Nations Commission on International Trade Law to organize, in connexion with the eighth session of the Commission, an international symposium on the role of universities and research centres in the teaching, dissemination and wider appreciation of international trade law and to seek voluntary contributions from Governments, international organizations and foundations to cover the cost of travel and subsistence of participants from developing countries;

5. *Invites* States which have not ratified or acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards³⁰ of 1958 to consider the possibility of adhering thereto;

6. *Recommends* that the United Nations Commission on International Trade Law should:

(a) Continue in its work to pay special attention to the topics to which it has decided to give priority, that is, the international sale of goods, international payments, international commercial arbitration and international legislation on shipping;

(b) Continue to consider the legal problems presented by different kinds of multinational enterprises, in accordance with the decision thereon adopted by the Commission at its sixth session;

(c) Accelerate its work on training and assistance in the field of international trade law, with special regard to the promotion and teaching of international trade law at universities, taking into account the special interests of the developing countries;

(d) Continue to collaborate with international organizations active in the field of international trade law;

(e) Continue to give special consideration to the interests of developing countries and to bear in mind the special problems of land-locked countries;

(f) Keep its programme of work and working methods under review with the aim of increasing the effectiveness of its work;

7. *Invites* the United Nations Commission on International Trade Law to consider the advisability of preparing uniform rules on the civil liability of producers for damage caused by their products intended for or involved in international sale or distribution, taking into account the feasibility and most appropriate time therefor in view of other items in its programme of work;

8. *Decides* to increase the membership of the United Nations Commission on International Trade Law from twenty-nine to thirty-six in accordance with the following rules:

(a) The seven additional members of the Commission shall be elected by the General Assembly for a term of six years, except as provided in subparagraph (c) below;

(b) In electing the additional members, the General Assembly shall observe the following distribution of seats:

- (i) Two from African States;
- (ii) Two from Asian States;
- (iii) One from Eastern European States;
- (iv) One from Latin American States;
- (v) One from Western European and other States;

(c) Of the additional members elected at the first election, to be held during the current session of the General Assembly, the terms of three members shall expire at the end of three years; the President of the General Assembly shall, by drawing lots, select these members as follows:

(i) One from those elected from African States;

(ii) One from those elected from Asian States;

(iii) One from those elected from the other regions;

(d) The additional members elected at the first election shall take office on 1 January 1974;

(e) The provisions of section II, paragraphs 3 to 5, of General Assembly resolution 2205 (XXI) shall also apply to the additional members;

9. *Requests* the Secretary-General to forward to the United Nations Commission on International Trade Law the records of the discussions at the twenty-eighth session of the General Assembly on the Commission's report on the work of its sixth session.

2197th plenary meeting
12 December 1973

3166 (XXVIII). Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents³¹

The General Assembly,

Considering that the codification and progressive development of international law contributes to the implementation of the purposes and principles set forth in Articles 1 and 2 of the Charter of the United Nations,

Recalling that in response to the request made in General Assembly resolution 2780 (XXVI) of 3 December 1971, the International Law Commission, at its twenty-fourth session, studied the question of the protection and inviolability of diplomatic agents and other persons entitled to special protection under international law and prepared draft articles³² on the prevention and punishment of crimes against such persons,

Having considered the draft articles and also the comments and observations thereon submitted by States, specialized agencies and other intergovernmental organizations³³ in response to the invitation extended by the General Assembly in its resolution 2926 (XXVII) of 28 November 1972,

Convinced of the importance of securing international agreement on appropriate and effective measures for the prevention and punishment of crimes against diplomatic agents and other internationally protected persons in view of the serious threat to the maintenance and promotion of friendly relations and co-operation among States created by the commission of such crimes,

Having elaborated for that purpose the provisions contained in the Convention annexed hereto,

1. *Adopts* the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, annexed to the present resolution:

³¹ See "Other decisions", p. 150.

³² *Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 10 (A/8710/Rev.1)*, chap. III, sect. B.

³³ A/9127 and Add.1.

³⁰ United Nations, *Treaty Series*, vol. 330, No. 4739, p. 38.

2. *Re-emphasizes* the great importance of the rules of international law concerning the inviolability of and special protection to be afforded to internationally protected persons and the obligations of States in relation thereto;

3. *Considers* that the annexed Convention will enable States to carry out their obligations more effectively;

4. *Recognizes* also that the provisions of the annexed Convention could not in any way prejudice the exercise of the legitimate right to self-determination and independence, in accordance with the purposes and principles of the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,³⁴ by peoples struggling against colonialism, alien domination, foreign occupation, racial discrimination and *apartheid*;

5. *Invites* States to become parties to the annexed Convention;

6. *Decides* that the present resolution, whose provisions are related to the annexed Convention, shall always be published together with it.

2202nd plenary meeting
14 December 1973

ANNEX

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents

The States Parties to this Convention,

Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and the promotion of friendly relations and co-operation among States,

Considering that crimes against diplomatic agents and other internationally protected persons jeopardizing the safety of these persons create a serious threat to the maintenance of normal international relations which are necessary for co-operation among States,

Believing that the commission of such crimes is a matter of grave concern to the international community,

Convinced that there is an urgent need to adopt appropriate and effective measures for the prevention and punishment of such crimes,

Have agreed as follows:

ARTICLE 1

For the purposes of this Convention:

1. "Internationally protected person" means:

(a) A Head of State, including any member of a collegial body performing the functions of a Head of State under the constitution of the State concerned, a Head of Government or a Minister for Foreign Affairs, whenever any such person is in a foreign State, as well as members of his family who accompany him;

(b) Any representative or official of a State or any official or other agent of an international organization of an inter-governmental character who, at the time when and in the place where a crime against him, his official premises, his private accommodation or his means of transport is committed, is entitled pursuant to international law to special protection from any attack on his person, freedom or dignity, as well as members of his family forming part of his household;

2. "Alleged offender" means a person as to whom there is sufficient evidence to determine *prima facie* that he has com-

mitted or participated in one or more of the crimes set forth in article 2.

ARTICLE 2

1. The intentional commission of:

(a) A murder, kidnapping or other attack upon the person or liberty of an internationally protected person;

(b) A violent attack upon the official premises, the private accommodation or the means of transport of an internationally protected person likely to endanger his person or liberty;

(c) A threat to commit any such attack;

(d) An attempt to commit any such attack; and

(e) An act constituting participation as an accomplice in any such attack

shall be made by each State Party a crime under its internal law.

2. Each State Party shall make these crimes punishable by appropriate penalties which take into account their grave nature.

3. Paragraphs 1 and 2 of this article in no way derogate from the obligations of States Parties under international law to take all appropriate measures to prevent other attacks on the person, freedom or dignity of an internationally protected person.

ARTICLE 3

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the crimes set forth in article 2 in the following cases:

(a) When the crime is committed in the territory of that State or on board a ship or aircraft registered in that State;

(b) When the alleged offender is a national of that State;

(c) When the crime is committed against an internationally protected person as defined in article 1 who enjoys his status as such by virtue of functions which he exercises on behalf of that State.

2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over these crimes in cases where the alleged offender is present in its territory and it does not extradite him pursuant to article 8 to any of the States mentioned in paragraph 1 of this article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with internal law.

ARTICLE 4

States Parties shall co-operate in the prevention of the crimes set forth in article 2, particularly by:

(a) Taking all practicable measures to prevent preparations in their respective territories for the commission of those crimes within or outside their territories;

(b) Exchanging information and co-ordinating the taking of administrative and other measures as appropriate to prevent the commission of those crimes.

ARTICLE 5

1. The State Party in which any of the crimes set forth in article 2 has been committed shall, if it has reason to believe that an alleged offender has fled from its territory, communicate to all other States concerned, directly or through the Secretary-General of the United Nations, all the pertinent facts regarding the crime committed and all available information regarding the identity of the alleged offender.

2. Whenever any of the crimes set forth in article 2 has been committed against an internationally protected person, any State Party which has information concerning the victim and the circumstances of the crime shall endeavour to transmit it, under the conditions provided for in its internal law, fully and promptly to the State Party on whose behalf he was exercising his functions.

ARTICLE 6

1. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the alleged offender is

³⁴ Resolution 2625 (XXV), annex.

present shall take the appropriate measures under its internal law so as to ensure his presence for the purpose of prosecution or extradition. Such measures shall be notified without delay directly or through the Secretary-General of the United Nations to:

- (a) The State where the crime was committed;
- (b) The State or States of which the alleged offender is a national or, if he is a stateless person, in whose territory he permanently resides;
- (c) The State or States of which the internationally protected person concerned is a national or on whose behalf he was exercising his functions;
- (d) All other States concerned; and
- (e) The international organization of which the internationally protected person concerned is an official or an agent.

2. Any person regarding whom the measures referred to in paragraph 1 of this article are being taken shall be entitled:

- (a) To communicate without delay with the nearest appropriate representative of the State of which he is a national or which is otherwise entitled to protect his rights or, if he is a stateless person, which he requests and which is willing to protect his rights; and
- (b) To be visited by a representative of that State.

ARTICLE 7

The State Party in whose territory the alleged offender is present shall, if it does not extradite him, submit, without exception whatsoever and without undue delay, the case to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State.

ARTICLE 8

1. To the extent that the crimes set forth in article 2 are not listed as extraditable offences in any extradition treaty existing between States Parties, they shall be deemed to be included as such therein. States Parties undertake to include those crimes as extraditable offences in every future extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may, if it decides to extradite, consider this Convention as the legal basis for extradition in respect of those crimes. Extradition shall be subject to the procedural provisions and the other conditions of the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize those crimes as extraditable offences between themselves subject to the procedural provisions and the other conditions of the law of the requested State.

4. Each of the crimes shall be treated, for the purpose of extradition between States Parties, as if it had been committed not only in the place in which it occurred but also in the territories of the States required to establish their jurisdiction in accordance with paragraph 1 of article 3.

ARTICLE 9

Any person regarding whom proceedings are being carried out in connexion with any of the crimes set forth in article 2 shall be guaranteed fair treatment at all stages of the proceedings.

ARTICLE 10

1. States Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of the crimes set forth in article 2, including the supply of all evidence at their disposal necessary for the proceedings.

2. The provisions of paragraph 1 of this article shall not affect obligations concerning mutual judicial assistance embodied in any other treaty.

ARTICLE 11

The State Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

ARTICLE 12

The provisions of this Convention shall not affect the application of the Treaties on Asylum, in force at the date of the adoption of this Convention, as between the States which are parties to those Treaties; but a State Party to this Convention may not invoke those Treaties with respect to another State Party to this Convention which is not a party to those Treaties.

ARTICLE 13

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by paragraph 1 of this article with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

ARTICLE 14

This Convention shall be open for signature by all States, until 31 December 1974 at United Nations Headquarters in New York.

ARTICLE 15

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

ARTICLE 16

This Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

ARTICLE 17

1. This Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

ARTICLE 18

1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect six months following the date on which notification is received by the Secretary-General of the United Nations.

ARTICLE 19

The Secretary-General of the United Nations shall inform all States, *inter alia*:

(a) Of signatures to this Convention, of the deposit of instruments of ratification or accession in accordance with articles 14, 15 and 16 and of notifications made under article 18;

(b) Of the date on which this Convention will enter into force in accordance with article 17.

ARTICLE 20

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at New York on 14 December 1973.

3191 (XXVIII). Inclusion of Chinese among the working languages of the General Assembly, its committees and its subcommittees and inclusion of Arabic among the official and the working languages of the General Assembly and its Main Committees: amendments to rules 51 to 59 of the rules of procedure of the Assembly

The General Assembly,

Having regard to its decision to include Chinese among the working languages of the General Assembly and to amend accordingly the relevant provisions of the rules of procedure of the Assembly,³⁵

Having regard to its decision to include Arabic among the official and the working languages of the General Assembly and its Main Committees and to amend accordingly the relevant provisions of the rules of procedure of the Assembly,³⁶

Having considered the notes by the Secretary-General,³⁷

Decides, with effect from 1 January 1974:

(a) To replace rules 51 to 59 of the rules of procedure of the General Assembly by the following rules:

“VIII. LANGUAGES

“*Official and working languages*

“*Rule 51*

“Chinese, English, French, Russian and Spanish shall be both the official and the working languages of the General Assembly, its committees and its subcommittees. Arabic shall be both an official and

a working language of the General Assembly and its Main Committees.

“*Interpretation*

“*Rule 52*

“Speeches made in any of the six languages of the General Assembly shall be interpreted into the other five languages, provided that interpretation from and into Arabic shall be made only in the Assembly and in its Main Committees.

“*Rule 53*

“Any representative may make a speech in a language other than the languages of the General Assembly. In this case, he shall himself provide for interpretation into one of the languages of the General Assembly or of the committee concerned. Interpretation into the other languages of the General Assembly or of the committee concerned by the interpreters of the Secretariat may be based on the interpretation given in the first such language.

“*Languages of verbatim and summary records*

“*Rule 54*

“Verbatim or summary records shall be drawn up as soon as possible in the languages of the General Assembly, provided that such records shall be drawn up in Arabic only for the plenary meetings of the Assembly and for the meetings of the Main Committees.

“*Languages of the Journal of the United Nations*

“*Rule 55*

“During the sessions of the General Assembly, the *Journal of the United Nations* shall be published in the languages of the Assembly.

“*Languages of resolutions and other documents*

“*Rule 56*

“All resolutions and other documents shall be published in the languages of the General Assembly, provided that publication in Arabic of such documents shall be limited to those of the Assembly and its Main Committees.

“*Publications in languages other than the languages of the General Assembly*

“*Rule 57*

“Documents of the General Assembly, its committees and its subcommittees shall, if the Assembly so decides, be published in any language other than the languages of the Assembly or of the committee concerned.”;

(b) To renumber the subsequent rules accordingly.

2206th plenary meeting
18 December 1973

³⁵ See resolution 3189 (XXVIII).

³⁶ See resolution 3190 (XXVIII).

³⁷ A/C.6/L.961 and A/C.6/L.976.