

the International Law Commission at its thirty-third session,⁴ and to embody the results of its work in an international convention and such other instruments as it might deem appropriate,

Recalling further that, in paragraph 1 of the same resolution, it expressed its appreciation to the International Law Commission for its valuable work on the question of succession of States in respect of State property, archives and debts, and to the Special Rapporteur on the topic for his contribution to that work,

Believing that the draft articles adopted by the International Law Commission at its thirty-third session represent a good basis for the elaboration of an international convention and such other instruments as may be appropriate on the question of succession of States in respect of State property, archives and debts,

Taking note of the report of the Secretary-General,⁵ which contains the comments and observations submitted by a number of Member States in accordance with General Assembly resolution 36/113,

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,

Believing that the successful codification and progressive development of the rules of international law governing succession of States in respect of State property, archives and debts would contribute to the development of friendly relations and co-operation among States, irrespective of their constitutional and social systems, and would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

Noting with appreciation that an invitation has been extended by the Government of Austria to hold the United Nations Conference on Succession of States in respect of State Property, Archives and Debts at Vienna,

1. *Decides* that the United Nations Conference on Succession of States in respect of State Property, Archives and Debts, referred to in General Assembly resolution 36/113, shall be held from 1 March to 8 April 1983 at Vienna;

2. *Requests* the Secretary-General to invite:

(a) All States to participate in the Conference;

(b) Namibia, represented by the United Nations Council for Namibia, to participate in the Conference, in accordance with paragraph 1 of General Assembly resolution 36/121 D of 10 December 1981;

(c) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices in the capacity of observer to participate in the Conference in that capacity, in accordance with Assembly resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976;

(d) Representatives of the national liberation movements recognized in its region by the Organization of African Unity to participate as observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(e) The specialized agencies and the International Atomic Energy Agency as well as interested organs of the United Nations and interested intergovernmental organizations to be represented by observers at the Conference;

3. *Refers* to the Conference, as the basic proposal for its consideration, the draft articles on succession of States in respect of State property, archives and debts adopted by the International Law Commission at its thirty-third session;

4. *Decides* that the languages of the Conference shall be the official and working languages of the General Assembly, its committees and its sub-committees;

5. *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;

6. *Requests* the Secretary-General to arrange for the participation at the Conference, as an expert, of the former Special Rapporteur of the International Law Commission on the topic of succession of States in respect of matters other than treaties, if he is available.

68th plenary meeting
15 November 1982

37/102. 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,

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 1954,⁶

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 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,

Taking into account the views expressed during the debate on this item at the current session,⁷

Noting with satisfaction the appointment of a special rapporteur for the draft Code,⁸

Taking into account the importance and the urgency of the subject,

1. *Invites* the International Law Commission to continue its work with a view to elaborating the draft Code of Offences against the Peace and Security of Mankind, in conformity with paragraph 1 of General Assembly resolution 36/106 and taking into account the decision contained in paragraph 255 of the report of the International Law Commission on the work of its thirty-fourth session;⁹

⁶ *Official Records of the General Assembly, Ninth Session, Supplement No. 9 (A/2693)*, para. 54.

⁷ *Ibid.*, Thirty-seventh Session, Sixth Committee, 52nd-55th, 63rd and 64th meetings.

⁸ *Ibid.*, Thirty-seventh Session, Supplement No. 10 (A/37/10), para. 252.

⁹ *Ibid.*, Supplement No. 10 (A/37/10).

⁴ *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 10 (A/36/10 and Corr.1)*, chap. II, sect. D.

⁵ A/37/454 and Corr.1 and Add.1.

2. *Requests* the International Law Commission, in conformity with resolution 36/106, to submit a preliminary report to the General Assembly at its thirty-eighth session bearing, *inter alia*, on the scope and the structure of the draft Code;

3. *Requests* the Secretary-General to reiterate his invitation to Member States and relevant international inter-governmental organizations to present or update their comments and observations on the draft Code with a view to their submission to the International Law Commission;

4. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "Draft Code of Offences against the Peace and Security of Mankind".

*107th plenary meeting
16 December 1982*

37/103. 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, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling 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 resolution 36/107 of 10 December 1981, entitled "Progressive development of the principles and norms of international law relating to the new international economic order",

Taking note of the report of the Secretary-General,¹⁰ particularly of the progress report prepared by the United Nations Institute for Training and Research,¹¹ of the analytical papers and analysis of texts of relevant instruments and of the views submitted by States in response to General Assembly resolution 36/107,¹²

Taking note, in particular, of the recommendation that the United Nations Institute for Training and Research should complete the analytical study on the progressive development of the principles and norms of international law relating to the new international economic order, in accordance with the fifth preambular paragraph and paragraph 2 of resolution 36/107,

Recognizing the need for a systematic and progressive development of the principles and norms of international law relating to the new international economic order,

1. *Requests* the United Nations Institute for Training and Research to prepare the third and final phase of the analytical study and to complete it in time for the Secretary-General to submit it to the General Assembly at its thirty-eighth session;

2. *Urges* Member States to submit not later than 31 May 1983 relevant information with respect to the study, including proposals concerning further action to be taken on the final study to be submitted to the General Assembly at its thirty-eighth session;

3. *Requests* the United Nations Commission on International Trade Law, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the regional commissions, the United Nations Centre on Transnational Corporations and other relevant intergovernmental and non-governmental organizations active in this field, as determined by the United Nations Institute for Training and Research, to submit relevant information and to co-operate fully with the Institute in the implementation of the present resolution;

4. *Invites* the United Nations Institute for Training and Research to select, on the basis of equitable geographical representation, taking into account the different legal and economic systems of the world, experts who will help it to carry out the last phase of the study;

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-eighth session a report on the final study prepared by the United Nations Institute for Training and Research for its consideration, on a priority basis, under the item entitled "Progressive development of the principles and norms of international law relating to the new international economic order" to be included in the provisional agenda of that session.

*107th plenary meeting
16 December 1982*

37/104. Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States

The General Assembly,

Recalling its resolution 35/167 of 15 December 1980,

Taking note of the report of the Secretary-General,¹³

Bearing in mind the resolution of the United Nations Conference on the Representation of States in Their Relations with International Organizations relating to the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States,¹⁴

Noting that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, of 14 March 1975,¹⁵ regulates only the representation of States in their relations with international organizations,

Taking into account the current practice of inviting the above-mentioned national liberation movements to participate as observers in the sessions of the General Assembly, specialized agencies and other organizations of the United Nations system and in the work of the conferences held under the auspices of such international organizations,

Convinced that the participation of the national liberation movements referred to above in the work of international organizations helps to strengthen international peace and co-operation,

¹³ A/37/326 and Add.1.

¹⁴ See *Official Records of the United Nations Conference on the Representation of States in Their Relations with International Organizations, Vienna, 4 February-14 March 1975*, vol. II (United Nations publication, Sales No. E.75.V.12), document A/CONF.67/15, annex.

¹⁵ *Ibid.*, vol. II, p. 207.

¹⁰ A/37/409 and Add.1-3.

¹¹ A/37/409, sect. II.

¹² See A/37/409/Add.1-3.