

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,<sup>10</sup> particularly of the progress report prepared by the United Nations Institute for Training and Research,<sup>11</sup> 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,<sup>12</sup>

*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,<sup>13</sup>

*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,<sup>14</sup>

*Noting* that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, of 14 March 1975,<sup>15</sup> 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,

<sup>13</sup> A/37/326 and Add.1.

<sup>14</sup> 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.

<sup>15</sup> *Ibid.*, vol. II, p. 207.

<sup>10</sup> A/37/409 and Add.1-3.

<sup>11</sup> A/37/409, sect. II.

<sup>12</sup> See A/37/409/Add.1-3.

*Desirous* of ensuring the effective participation of the above-mentioned national liberation movements as observers in the work of international organizations and of regulating, to that end, their status and the facilities, privileges and immunities necessary for the performance of their functions,

1. *Invites* all States that have not done so, in particular those that are hosts to international organizations or to conferences convened by, or held under the auspices of, international organizations of a universal character, to consider as soon as possible the question of ratifying, or acceding to, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

2. *Calls once more upon* the States concerned to accord to the delegations of the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States, and accorded observer status by international organizations, the facilities, privileges and immunities necessary for the performance of their functions in accordance with the provisions of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

3. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

*107th plenary meeting  
16 December 1982*

**37/105. Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations**

*The General Assembly,*

*Recalling* its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations<sup>16</sup> as well as other proposals made during the consideration of this item,

*Recalling also* its resolution 32/150 of 19 December 1977, by which it established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations,

*Recalling*, in particular, its resolutions 33/96 of 16 December 1978, 34/13 of 9 November 1979, 35/50 of 4 December 1980 and 36/31 of 13 November 1981, in which it decided that the Special Committee should continue its work,

*Taking note* of the statement made by the Chairman of the Special Committee at its session in 1982,<sup>17</sup>

*Having considered* the report of the Special Committee,<sup>18</sup>

*Taking into account* that the Special Committee has not completed the mandate entrusted to it,

*Reaffirming* the need for universal and effective application of the principle of the non-use of force in international relations and for assistance by the United Nations in this endeavour,

*Expressing the hope* that the Special Committee will, on the basis of the proposals before it, complete the mandate entrusted to it as soon as possible,

<sup>16</sup> *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 41 (A/34/41 and Corr.1), annex.*

<sup>17</sup> *Ibid.*, *Thirty-seventh Session, Supplement No. 41 (A/37/41), para. 372.*

<sup>18</sup> *Ibid.*, *Supplement No. 41 (A/37/41).*

1. *Takes note* of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;

2. *Decides* that the Special Committee shall continue its work with the goal of drafting, at the earliest possible date, a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate;

3. *Requests* the Special Committee, in order to ensure further progress in its work, to begin at its forthcoming session, as the next step, the elaboration of the formulas of the working paper containing the main elements of the principle of non-use of force in international relations, taking duly into account the proposals submitted to it and, in particular, the efforts undertaken at its session in 1982;

4. *Invites* the Governments that have not yet done so to communicate their comments or suggestions or to bring them up to date, in accordance with General Assembly resolution 31/9;

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

6. *Requests* the Secretary-General to provide the Special Committee with the necessary facilities and services;

7. *Invites* the Special Committee to submit a report on its work to the General Assembly at its thirty-eighth session;

8. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled 'Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations'.

*107th plenary meeting  
16 December 1982*

**37/106. Report of the United Nations Commission on International Trade Law**

*The General Assembly,*

*Having considered* the report of the United Nations Commission on International Trade Law on the work of its fifteenth session,<sup>19</sup>

*Recalling* that the object of the United Nations Commission on International Trade Law is the promotion of the progressive harmonization and unification of international trade law,

*Recalling*, in this regard, its resolutions 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law and defined the object and terms of reference of the Commission, 3108 (XXVIII) of 12 December 1973, by which it increased the membership of the Commission, 34/142 of 17 December 1979, by which the co-ordinating function of the Commission in the field of international trade law was emphasized, and 36/32 of 13 November 1981, by which the importance of the participation of observers from all States and interested international organizations at sessions of the Commission and its Working Groups was affirmed, as well as its previous resolutions concerning the reports of the Commission on the work of its annual sessions,

*Recalling also* its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) of 16 September 1975,

<sup>19</sup> *Ibid.*, *Supplement No. 17 (A/37/17 and Corr.1 and 2).*