

progressive development of international law and its codification;

8. *Expresses the wish* that seminars will continue to be held in conjunction with sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars;

9. *Requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the thirty-eighth session of the General Assembly⁴³ and to prepare and distribute a topical summary of the debate.

*101st plenary meeting
19 December 1983*

38/139. United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations

The General Assembly,

Recalling its resolution 37/112 of 16 December 1982, by which it decided that an international convention should be concluded on the basis of the draft articles on the law of treaties between States and international organizations or between international organizations, adopted by the International Law Commission at its thirty-fourth session,⁴⁴

Recalling further that, by its resolution 37/112, it agreed to decide at its thirty-eighth session upon the appropriate forum for the adoption of the convention in the light of the comments received in accordance with that resolution,

Having received the report of the Secretary-General⁴⁵ which contains the comments and observations submitted by a number of States and principal international intergovernmental organizations, in accordance with General Assembly resolution 37/112, and having further received the statement adopted by the Administrative Committee on Co-ordination,⁴⁶

1. *Decides* that the appropriate forum for the final consideration of the draft articles on the law of treaties between States and international organizations or between international organizations, adopted by the International Law Commission at its thirty-fourth session, shall be a conference of plenipotentiaries to be convened not earlier than 1985;

2. *Agrees* to decide at its thirty-ninth session upon the question of the date and place for the convening of the United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations, as well as upon the question of participation in the Conference;

3. *Invites* States that have not already done so to submit, not later than 1 July 1984, their written comments and observations on the final draft articles on the law of treaties between States and international organizations or between international organizations prepared by the International Law Commission, as well as on the questions referred to in paragraph 60 of the report of the Commission on the work of its thirty-fourth session;⁴⁴

4. *Invites also* the principal international intergovernmental organizations that have not already done so to sub-

mit, within the same period, their written comments and observations on the subject;

5. *Requests* the Secretary-General to circulate such comments so as to facilitate the discussion on the subject at the thirty-ninth session of the General Assembly;

6. *Appeals* to potential participants in the Conference to undertake consultations on the draft articles concerned and other related questions prior to the thirty-ninth session of the General Assembly, in order to facilitate the successful conclusion of the work of the Conference;

7. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations".

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38/140. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,⁴⁷

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations⁴⁸ and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,⁴⁹

Recalling further that the problems related to the privileges and immunities of all missions accredited to the United Nations, the security of the missions and the safety of their personnel are of great importance and concern to Member States, as well as the primary responsibility of the host country,

Noting with deep concern the continued acts violating the security and the safety of the personnel of those missions accredited to the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations of the Committee on Relations with the Host Country contained in paragraph 60 of its report;⁴⁷

2. *Strongly condemns* any acts violating the security of missions accredited to the United Nations and their personnel;

3. *Urges* the host country to continue to take all necessary measures to ensure effectively the protection, security 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. *Recalls* that continued adherence to the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations remains an indispensable condition for the normal functioning of the Organization;

⁴³ Official Records of the General Assembly, Thirty-eighth Session, Sixth Committee, 34th, 36th-50th, 54th and 70th meetings; and *ibid.*, Sixth Committee, Sessional Fascicle, corrigendum.

⁴⁴ *Ibid.*, Thirty-seventh Session, Supplement No. 10 (A/37/10), chap. II.

⁴⁵ A/38/145 and Corr.1 and Add.1.

⁴⁶ A/C.6/38/4, annex.

⁴⁷ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 26 (A/38/26).

⁴⁸ Resolution 22 A (I).

⁴⁹ Resolution 169 (II).

5. *Calls upon* all countries to build up public awareness by explaining the importance of the role played by the United Nations and all missions accredited to it in the strengthening of international peace and security;

6. *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 and violence against the missions and their personnel;

7. *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;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the Committee on Relations with the Host Country".

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38/141. 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 December 1979, 35/164 of 15 December 1980, 36/122 of 11 December 1981 and 37/114 of 16 December 1982,

Taking note of the report of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh session,⁵⁰ as well as of the views and comments expressed on it by Member States,⁵¹

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 1983,⁵²

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 2 to 27 April 1984;

3. *Requests* the Special Committee at its next session:

(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 4 below, for the adoption of such recommendations as the Assembly deems appropriate;

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

(i) To consider the proposal contained in the working paper on the establishment of a permanent commission on good offices, mediation and conciliation for the settlement of disputes and the prevention of conflicts among States;⁵³

(ii) To continue, in conformity with the agreement reached by the Special Committee,⁵⁴ the consideration of the proposal concerning the elaboration of a handbook on the peaceful settlement of disputes between States;

(c) To finalize its present work on the question of the rationalization of existing procedures, with a view to submitting its conclusions to the General Assembly at its thirty-ninth session;

4. *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;

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

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

7. *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);

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

9. *Requests* the Special Committee to submit a report on its work to the General Assembly at its thirty-ninth session;

10. *Decides* to include in the provisional agenda of its thirty-ninth 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".

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

⁵¹ See A/38/358.

⁵² Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 33 (A/38/33).

⁵³ A/38/343, annex.

⁵⁴ See Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 33 (A/38/33), paras. 109 and 110.