

40/65. Consideration of the draft articles on most-favoured-nation clauses

The General Assembly,

Recalling its resolution 33/139 of 19 December 1978 relating to the report of the International Law Commission on the work of its thirtieth session,¹² in particular section II of that resolution, as well as its resolutions 35/161 of 15 December 1980, 36/111 of 10 December 1981 and 38/127 of 19 December 1983, entitled "Consideration of the draft articles on most-favoured-nation clauses",

Reaffirming its appreciation of the high quality of the work done by the International Law Commission in elaborating a series of draft articles on most-favoured-nation clauses,

Bearing in mind the importance of facilitating international trade and the development of economic co-operation among all States on the basis of equality, mutual advantage and non-discrimination in the establishment of the new international economic order,

Bearing in mind also the complexity of codification or progressive development of the international law on most-favoured-nation clauses at a time of rapid development of new forms of economic co-operation, notably those in favour of developing countries,

Noting from the report of the Secretary-General¹³ that a limited number of comments have been received, which seems to indicate that most Member States are not yet in a position to decide how further to proceed in the consideration of the draft articles on most-favoured-nation clauses,

Considering that sufficient time should be given to Governments for a thorough study of the draft articles and of the questions related to the clauses in order that they may express themselves on the action that should be taken regarding the draft articles,

1. *Calls upon* Member States, interested organs of the United Nations and interested intergovernmental organizations to review the questions related to the most-favoured-nation clauses and the draft articles thereon so that the General Assembly, at its forty-third session, may decide on the action to be taken on the draft articles;

2. *Requests* the Secretary-General to reiterate his invitation to Member States and interested organs of the United Nations, as well as interested intergovernmental organizations, to submit or bring up to date, not later than 31 March 1988, any written comments and observations which they deem appropriate on the substance of the draft articles;

3. *Also requests* the Secretary-General to invite Member States to comment on the most appropriate procedure for completing work on most-favoured-nation clauses and on the forum for future discussion, bearing in mind the suggestions and proposals made in the Sixth Committee, including the suggestion to establish a working group of the Sixth Committee after one of the existing working groups accomplishes its mandate;

4. *Further requests* the Secretary-General to submit to the General Assembly at its forty-third session a report containing the comments and observations received pursuant to paragraphs 2 and 3 above with a view to taking a final decision on the procedure to be followed;

5. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Consideration of the draft articles on most-favoured-nation clauses".

*112th plenary meeting
11 December 1985*

40/66. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

The General Assembly,

Taking note with appreciation of the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law¹⁴ and the recommendations made by the Secretary-General and adopted by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, which are contained in that report,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

Convinced, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and to increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Recalling its resolutions 2464 (XXIII) of 20 December 1968, 2550 (XXIV) of 12 December 1969, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 36/108 of 10 December 1981 and 38/129 of 19 December 1983, in which it stated that in the conduct of the Programme it was desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others, as well as its resolution 34/144 of 17 December 1979, in which it also expressed the hope that, in appointing lecturers for the seminars to be held within the framework of the fellowship programme in international law sponsored jointly by the United Nations and the United Nations Institute for Training and Research, account would be taken of the need to secure representation of major legal systems and balance among various geographical regions,

Noting with regret that the 1985 United Nations Institute for Training and Research regional training and refresher course in international law intended for Asian and Pacific countries could not take place for lack of a host country, and considering the difficulties which the Institute may encounter in finding host countries for the organization of future regional courses,

Noting that the fund of the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea has already become operational,

1. *Authorizes* the Secretary-General to carry out in 1986 and 1987 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships each in 1986 and 1987, at the request of Governments of developing countries;

(b) A minimum of one scholarship each in 1986 and 1987 under the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea to be financed by the fund of voluntary contributions made specifically for the Fellowship;

¹² *Ibid.*, Thirty-third Session, Supplement No. 10 (A/33/10).

¹³ A/40/444.

¹⁴ A/40/893.