

RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE

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2766 (XXVI). 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 fourth session,¹

Recalling its resolution 2205 (XXI) of 17 December 1966 establishing the United Nations Commission on International Trade Law and defining the object and terms of reference of the Commission,

Further recalling its resolutions 2421 (XXIII) of 18 December 1968, 2502 (XXIV) of 12 November 1969 and 2635 (XXV) of 12 November 1970 on the reports of the United Nations Commission on International Trade Law on the work of its first, second and third sessions,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic co-operation among all peoples on a basis of equality and, thereby, to their well-being,

Noting that the Trade and Development Board, at its eleventh session, considered the report of the United Nations Commission on International Trade Law on its fourth session and expressed satisfaction with the co-ordination of the work programmes of the Commission and of the United Nations Conference on Trade and Development in the field of international legislation on shipping,²

1. Takes note with appreciation of the report of the United Nations Commission on International Trade

¹ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 17 (A/8417).

² Ibid., Supplement No. 15 (A/8415/Rev.1), part three, paras. 417-420.

Law on the work of its fourth session and commends its members for their contribution to the progress made in the work of the Commission;

2. 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) Accelerate its work on training and assistance in the field of international trade law, with special regard to developing countries;

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

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

(e) Continue, in its use of working groups and other working methods, to seek to enhance its efficiency and to ensure full consideration of the needs of all regions;

(f) Keep its programme of work under constant review;

3. Notes with satisfaction the publication of the first volume of the *Yearbook of the United Nations Commission on International Trade Law*³ and the first volume of the *Register of Texts of Conventions and Other Instruments concerning International Trade Law*⁴ and authorizes the Secretary-General to publish the second volume of the *Register of Texts* in accordance with the decision of the Commission contained in paragraph 131 of its report;

4. Requests the Secretary-General to forward to the United Nations Commission on International Trade

³ United Nations publication, Sales No.: E.71.V.1.

⁴ United Nations publication, Sales No.: E.71.V.3.

Law the records of the discussions at the twenty-sixth session of the General Assembly on the Commission's report on the work of its fourth session.

*1986th plenary meeting,
17 November 1971.*

2780 (XXVI). Report of the International Law Commission

The General Assembly,

Having considered the report of the International Law Commission on the work of its twenty-third session,⁵

Emphasizing the need for the further codification and progressive development of international law in order to make it a more effective means of implementing the purposes and principles set forth in Articles 1 and 2 of the Charter of the United Nations and to give increased importance to its role in relations among nations,

Recalling the recommendations it made in resolution 2634 (XXV) of 12 November 1970 concerning the codification and progressive development of the rules of international law governing the representation of States in their relations with international organizations, succession of States, State responsibility, the most-favoured-nation clause and the question of treaties concluded between States and international organizations or between two or more international organizations,

Noting with satisfaction that at its twenty-third session, in 1971, the International Law Commission, in the light of the observations and comments of Member States, Switzerland and the secretariats of various international organizations and taking into account the relevant resolutions and debates of the General Assembly, revised the provisional draft articles on the representation of States in their relations with international organizations, prepared at its twentieth, twenty-first and twenty-second sessions, and finally adopted the draft articles as the basis of a convention,

Believing that the Vienna Convention on Diplomatic Relations,⁶ the Vienna Convention on Consular Relations⁷ and the Convention on Special Missions⁸ constitute instruments the purpose of which is to contribute to the fostering of friendly relations among nations, irrespective of their constitutional and social systems, and that it is desirable to conclude a convention on the representation of States in their relations with international organizations,

Recognizing the views expressed by the International Law Commission in paragraphs 133 and 134 of its report, in particular those on the importance and urgency of dealing with the problem of the protection and inviolability of diplomatic agents and other persons entitled to special protection under international law,

Noting with appreciation that the United Nations Office at Geneva organized, during the twenty-third session of the International Law Commission, a seventh session of the Seminar on International Law,

⁵ *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 10 (A/8410/Rev.1).*

⁶ United Nations, *Treaty Series*, vol. 500 (1964), No. 7310.

⁷ United Nations, *Treaty Series*, vol. 596 (1967), No. 8638.

⁸ See resolution 2530 (XXIV), annex.

I

1. *Takes note* of the report of the International Law Commission on the work of its twenty-third session;

2. *Expresses its appreciation* to the International Law Commission for the work it accomplished at its twenty-third session;

3. *Approves* the programme and organization of work of the twenty-fourth session of the International Law Commission to be held in 1972, including the decision to place on the provisional agenda of that session an item entitled "Review of the Commission's long-term programme of work: 'Survey of International Law' prepared by the Secretary-General";

4. *Recommends* that the International Law Commission should:

(a) Continue its work on succession of States, taking into account the views and considerations referred to in General Assembly resolutions 1765 (XVII) of 20 November 1962 and 1902 (XVIII) of 18 November 1963, with a view to completing in 1972 the first reading of draft articles on succession of States in respect of treaties and making progress in the consideration of succession of States in respect of matters other than treaties;

(b) Continue its work on State responsibility, taking into account the views and considerations referred to in General Assembly resolutions 1765 (XVII) of 20 November 1962, 1902 (XVIII) of 18 November 1963 and 2400 (XXIII) of 11 December 1968, with a view to making in 1972 substantial progress in the preparation of draft articles on the topic;

(c) Continue its study of the most-favoured-nation clause;

(d) Continue its consideration of the question of treaties concluded between States and international organizations or between two or more international organizations;

5. *Recommends further* that the International Law Commission, in the light of its scheduled programme of work, decide upon the priority to be given to the topic of the law of the non-navigational uses of international watercourses;

6. *Expresses the wish* that, in conjunction with future sessions of the International Law Commission, other seminars might be organized, which should continue to ensure the participation of an increasing number of jurists of developing countries;

7. *Requests* the Secretary-General to forward to the International Law Commission the records of the discussion on the report of the Commission at the twenty-sixth session of the General Assembly;

II

1. *Expresses its appreciation* to the International Law Commission for its valuable work on the question of representation of States in their relations with international organizations and to the Special Rapporteur on the topic for his contribution to this work;

2. *Invites* Member States and Switzerland as a host State to submit, not later than 1 June 1972, their written comments and observations on the draft articles on representation of States in their relations with international organizations, and on the procedure to be adopted for the elaboration and conclusion of a convention on the subject;