

4. *Refers* to the conference the draft articles contained in chapter II of the report of the United Nations Commission on International Trade Law on the work of its fifth session, together with the commentary thereon and the analytical compilation of comments and proposals to be prepared by the Secretary-General pursuant to the decision of the Commission,⁹ as the basis for consideration by the conference.

2091st plenary meeting
28 November 1972

2966 (XXVII). International conference of plenipotentiaries on the representation of States in their relations with international organizations

The General Assembly,

Having considered the item entitled "Representation of States in their relations with international organizations",

Having noted the report of the Secretary-General¹⁰ containing the comments and observations received from Member States, Switzerland, the Secretary-General, specialized agencies and the International Atomic Energy Agency, submitted in accordance with General Assembly resolution 2780 (XXVI) of 3 December 1971,

Recalling that in its resolution 2780 (XXVI) the General Assembly noted 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 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 adopted a final set of draft articles as the basis of a convention,

Recalling further that in its resolution 2780 (XXVI) the General Assembly expressed 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,

1. *Decides* that an international conference of plenipotentiaries shall be convened as soon as practicable to consider the draft articles on the representation of States in their relations with international organizations and to embody the results of its work in an international convention and such other instruments as it may deem appropriate;

2. *Further decides* to include in the provisional agenda of its twenty-eighth session an item entitled "International conference of plenipotentiaries on the representation of States in their relations with international organizations" in order that the General Assembly may consider the question of participation in the conference, the date and place of the conference and other related matters;

3. *Requests* the Secretary-General to submit to the General Assembly at its twenty-eighth session a memorandum on the methods of work of the conference so that the Assembly may consider the matter with a view to reducing the costs of the conference.

2109th plenary meeting
14 December 1972

2967 (XXVII). Report of the Special Committee on the Question of Defining Aggression

The General Assembly,

Having considered the report of the Special Committee on the Question of Defining Aggression on the work of its fifth session, held in New York from 31 January to 3 March 1972,¹¹

Noting the progress so far achieved by the Special Committee in its consideration of the question of defining aggression and on the draft definition, as reflected in its report,

Considering that it was not possible for the Special Committee to complete its task at its fifth session,

Considering that in its resolutions 2330 (XXII) of 18 December 1967, 2420 (XXIII) of 18 December 1968, 2549 (XXIV) of 12 December 1969, 2644 (XXV) of 25 November 1970 and 2781 (XXVI) of 3 December 1971 the General Assembly recognized the widespread conviction of the need to expedite the definition of aggression,

Considering the urgency of bringing the work of the Special Committee to a successful conclusion and the desirability of achieving the definition of aggression as soon as possible,

Noting also the common desire of the members of the Special Committee to continue their work on the basis of the results achieved and to arrive with due speed at a draft definition in a spirit of mutual understanding and accommodation,

1. *Decides* that the Special Committee on the Question of Defining Aggression shall resume its work at Geneva, in accordance with General Assembly resolution 2330 (XXII), as early as possible after 1 April 1973;

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

3. *Decides* to include in the provisional agenda of its twenty-eighth session the item entitled "Report of the Special Committee on the Question of Defining Aggression".

2109th plenary meeting
14 December 1972

2968 (XXVII). Need to consider suggestions regarding the review of the Charter of the United Nations

The General Assembly,

Recalling its resolutions 2552 (XXIV) of 12 December 1969 and 2697 (XXV) of 11 December 1970 entitled "Need to consider suggestions regarding the review of the Charter of the United Nations",

⁹ A/8753 and Add.1-3.

¹¹ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 19 (A/8719).

Taking note of the observations which were submitted by Governments in response to the inquiry made pursuant to resolution 2697 (XXV) and which are set out in the report of the Secretary-General,¹²

Observing that less than a quarter of the Governments of Member States have replied to the Secretary-General's inquiry and that no general trend of opinion in the United Nations can be deduced from these replies,

Recognizing that a review of the Charter which was not generally supported would militate against the desired result, that is, the strengthening of the effectiveness of the United Nations,

Considering that the effectiveness of the United Nations depends in the first place on the conduct of Member States,

1. *Requests* the Secretary-General to invite Member States that have not already done so to communicate to him, before 1 July 1974, their views on the desirability of a review of the Charter of the United Nations and their actual suggestions in this respect;

2. *Further requests* the Secretary-General to submit to the General Assembly at its twenty-ninth session a report setting out the views and suggestions of Member States which have been communicated to him in accordance with paragraph 1 above;

3. *Requests* the Secretary-General to bring up to date as quickly as possible the *Repertory of Practice of United Nations Organs*;

4. *Decides* to include in the provisional agenda of its twenty-ninth session the item entitled "Need to consider suggestions regarding the review of the Charter of the United Nations".

2109th plenary meeting
14 December 1972

3032 (XXVII). Respect for human rights in armed conflicts

The General Assembly,

Conscious that only complete respect for the Charter of the United Nations and general and complete disarmament under effective international control can bring about full guarantees against armed conflicts and the suffering caused by such conflicts, and determined to continue all efforts to these ends,

Conscious that the development of many weapons and methods of warfare has made modern armed conflicts increasingly cruel and destructive of civilian lives and property,

Reaffirming the urgent need to ensure full and effective application of existing legal rules relating to armed conflicts and to supplement these rules by new ones in order to take into account the modern developments in methods and means of warfare,

Noting with concern that the existing legal rules and obligations relating to human rights in armed conflicts are frequently being disregarded,

Recalling the successive resolutions adopted by the United Nations relating to human rights in armed conflicts, in particular General Assembly resolutions 2852 (XXVI) and 2853 (XXVI) of 20 December 1971, and resolution XIII adopted by the twenty-first Inter-

national Conference of the Red Cross, held at Istanbul in 1969,¹³ concerning the reaffirmation and development of the laws and customs applicable in armed conflicts,

Noting with appreciation the report of the Secretary-General¹⁴ on the results of the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which was held at Geneva from 3 May to 3 June 1972 at the invitation of the International Committee of the Red Cross,

Having taken cognizance of the report prepared by the International Committee of the Red Cross on the work of the Conference of Government Experts,¹⁵

Expressing appreciation to the International Committee of the Red Cross for its dedicated efforts to promote the reaffirmation and development of international humanitarian law applicable in armed conflicts,

Emphasizing the importance of continued close collaboration between the United Nations and the International Committee of the Red Cross,

Welcoming the progress achieved at the second session of the Conference of Government Experts,

Noting with concern, nevertheless, that agreement has not emerged among government experts on drafts concerning a number of fundamental issues, such as:

(a) Methods to ensure a better application of existing rules relating to armed conflicts,

(b) Definitions of military objectives and protected objects, in order to counter the tendency in armed conflicts to regard ever growing categories of objects as permissible targets for attack,

(c) Definitions of protected persons and combatants, responsive to the need for improved protection of civilians and of combatants in modern armed conflicts,

(d) The question of guerrilla warfare,

(e) Prohibition of the use of weapons and methods of warfare which indiscriminately affect civilians and combatants,

(f) Prohibition or restriction of the use of specific weapons which are deemed to cause unnecessary suffering,

(g) Rules facilitating humanitarian relief in armed conflicts,

(h) Definition of those armed conflicts of a non-international character which should be subject to rules additional to those contained in the Geneva Conventions of 1949,¹⁶

Considering that substantial progress on fundamental issues such as those enumerated above is indispensable if the efforts to supplement international humanitarian law by new rules are to become significant for the alleviation of the suffering brought about by modern armed conflicts,

Welcoming the readiness of the Swiss Federal Council, as communicated to the Secretary-General, to convoke a diplomatic conference on the reaffirmation and development of international humanitarian law applicable in armed conflicts,

Believing that the further preparations for that conference as well as its organization must be such that

¹³ See A/7720, annex I, sect. D.

¹⁴ A/8781 and Corr.1.

¹⁵ Report on the Work of the Conference (Geneva, July 1972).

¹⁶ United Nations, Treaty Series, vol. 75, Nos. 970-973.

¹² A/8746 and Corr.1 and Add.1-3.