

2. A war of aggression is a crime against international peace. Aggression gives rise to international responsibility.

3. No territorial acquisition or special advantage resulting from aggression is or shall be recognized as lawful.

Article 6

Nothing in this Definition shall be construed as in any way enlarging or diminishing the scope of the Charter, including its provisions concerning cases in which the use of force is lawful.

Article 7

Nothing in this Definition, and in particular article 3, could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter, of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, particularly peoples under colonial and racist régimes or other forms of alien domination; nor the right of these peoples to struggle to that end and to seek and receive support, in accordance with the principles of the Charter and in conformity with the above-mentioned Declaration.

Article 8

In their interpretation and application the above provisions are interrelated and each provision should be construed in the context of the other provisions.

3315 (XXIX). Report of the International Law Commission⁹

The General Assembly,

Having considered the report of the International Law Commission on the work of its twenty-sixth session,¹⁰

Emphasizing the need for the progressive development of international law and its codification 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 in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States,¹¹ and to give increased importance to its role in relations among States,

Noting with appreciation that, at its twenty-sixth session, the International Law Commission, in the light of comments received from Member States, completed the second reading of the draft articles on succession of States in respect of treaties, as recommended by the General Assembly in resolution 3071 (XXVIII) of 30 November 1973,

Taking note of the draft articles prepared at the same session by the International Law Commission on State responsibility and on treaties concluded between States and international organizations or between international organizations,

Welcoming the fact that the International Law Commission commenced its work on the law of non-navigational uses of international watercourses by adopting the required preliminary measures,

Bearing in mind that the outstanding achievements of the International Law Commission during its twenty-six sessions in the field of the progressive development

of international law and its codification, in accordance with the aims of Article 13, subparagraph 1 (a) of the Charter, contribute to the fostering of friendly relations among nations,

I

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

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

3. *Approves* the programme of work planned by the International Law Commission for 1975;

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

(a) Continue on a high priority basis at its twenty-seventh session its work on State responsibility, taking into account General Assembly resolutions 1765 (XVII) of 20 November 1962, 1902 (XVIII) of 18 November 1963, 2400 (XXIII) of 11 December 1968, 2926 (XXVII) of 28 November 1972 and 3071 (XXVIII) of 30 November 1973, with a view to the preparation of a first set of draft articles on responsibility of States for internationally wrongful acts at the earliest possible time and to take up, as soon as appropriate, the separate topic of international liability for injurious consequences arising out of acts not prohibited by international law;

(b) Proceed with the preparation, on a priority basis, of draft articles on succession of States in respect of matters other than treaties;

(c) Proceed with the preparation of draft articles on the most-favoured-nation clause;

(d) Proceed with the preparation of draft articles on treaties concluded between States and international organizations or between international organizations;

(e) Continue its study of the law of the non-navigational uses of international watercourses, taking into account General Assembly resolutions 2669 (XXV) of 8 December 1970 and 3071 (XXVIII) of 30 November 1973 and other resolutions concerning the work of the International Law Commission on the topic, and comments received from Member States on the questions referred to in the annex to chapter V of the Commission's report;

5. *Approves*, in the light of the importance of its existing work programme, a twelve-week period for the annual sessions of the International Law Commission, subject to review by the General Assembly whenever necessary;

6. *Recognizes* the efficacy of the methods and conditions of work by which the International Law Commission has carried out its tasks and expresses confidence that the Commission will continue to adopt methods of work well suited to the realization of the tasks entrusted to it;

7. *Expresses its appreciation* to the Secretary-General for having completed the supplementary report on the legal problems relating to the non-navigational uses of international watercourses,¹² requested by the General Assembly in resolution 2669 (XXV);

8. *Expresses the wish* that, in conjunction with future sessions of the International Law Commission, further seminars might be organized, which should continue to

⁹ See also p. 149, item 87.

¹⁰ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 10 (A/9610/Rev.1).*

¹¹ Resolution 2625 (XXV), annex.

¹² A/9732 (vols. I and II).

ensure the participation of an increasing number of jurists of developing countries;

9. *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-ninth session of the General Assembly;

II

1. *Expresses its appreciation* to the International Law Commission for its valuable work on the question of succession of States in respect of treaties and to the Special Rapporteurs on the topic for their contribution to this work;

2. *Invites* Member States to submit to the Secretary-General, not later than 1 August 1975, their written comments and observations on the draft articles on succession of States in respect of treaties contained in the report of the International Law Commission on the work of its twenty-sixth session,¹⁰ including comments and observations on proposals referred to in paragraph 75 of that report, which the Commission was prevented from discussing by lack of time, and on the procedure by which and the form in which work on the draft articles should be completed;

3. *Requests* the Secretary-General to circulate, before the thirtieth session of the General Assembly, the comments and observations submitted in accordance with paragraph 2 above;

4. *Decides* to include in the provisional agenda of its thirtieth session an item entitled "Succession of States in respect of treaties".

2319th plenary meeting
14 December 1974

3316 (XXIX). 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 seventh session,¹³

Recalling its resolution 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,

Further recalling its resolutions 2421 (XXIII) of 18 December 1968, 2502 (XXIV) of 12 November 1969, 2635 (XXV) of 12 November 1970, 2766 (XXVI) of 17 November 1971, 2928 (XXVII) of 28 November 1972 and 3108 (XXVIII) of 12 December 1973 concerning the reports of the United Nations Commission on International Trade Law on the work of its first to sixth 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 States on a basis of equality and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Bearing in mind that the Trade and Development Board of the United Nations Conference on Trade and Development, at its fourteenth session, took note with appreciation¹⁴ of the report of the United Nations Commission on International Trade Law,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its seventh session;

2. *Commends* the United Nations Commission on International Trade Law for the progress made in its work and for its efforts to enhance the efficiency of its working methods;

3. *Notes with satisfaction* that work on uniform rules on the liability of ocean carriers for loss, damage or delay with respect to cargo is nearing completion and that a draft convention setting forth such rules will be transmitted to Governments and interested international organizations in 1975 for their comments;

4. *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, namely, the international sale of goods, international payments, international commercial arbitration and international legislation on shipping;

(b) Continue to consider the legal problems presented by different kinds of multinational enterprises and the advisability of preparing uniform rules governing the liability for damage caused by products intended for or involved in international trade, in accordance with the decisions thereon adopted by the Commission at its seventh session;

(c) Intensify its work on training and assistance in the field of international trade law, taking into account the special interests of the developing countries;

(d) Maintain a close collaboration with the United Nations Conference on Trade and Development and continue to collaborate with international organizations active in the field of international trade law;

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

(f) Keep its programme of work and working methods under review with the aim of increasing the effectiveness of its work;

5. *Requests* the Secretary-General to forward to the United Nations Commission on International Trade Law the records of the discussions at the twenty-ninth session of the General Assembly on the Commission's report on the work of its seventh session.

2319th plenary meeting
14 December 1974

3317 (XXIX). United Nations Conference on Prescription (Limitation) in the International Sale of Goods

The General Assembly,

Recalling its resolutions 2929 (XXVII) of 28 November 1972 and 3104 (XXVIII) of 12 December 1973 on the convening of a United Nations Conference on Prescription (Limitation) in the International Sale of Goods,

¹³ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 17 (A/9617).

¹⁴ Ibid., Supplement No. 15 (A/9615/Rev.1), para. 539.