

Noting also the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization,¹⁶ especially the work done on the draft Manila declaration on the peaceful settlement of international disputes,¹⁷

Taking into account the suggestions and opinions expressed during the examination at its current session of the question of the peaceful settlement of disputes between States,

Bearing in mind the wide consultations that have taken place in connexion with the content of the declaration on the peaceful settlement of international disputes and the fruitful activity in the Working Group, established at the current session of the General Assembly, which continued the elaboration of the declaration,

1. *Calls again upon* all States to adhere strictly in their international relations to the principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered;

2. *Considers* that the question of the peaceful settlement of disputes should represent one of the central concerns for States and that, to this end, the efforts for examining and further developing the principle of the peaceful settlement of disputes between States and the means of consolidating its full observance by all States in their international relations should be continued;

3. *Considers also* that the elaboration, as soon as possible, of a declaration of the General Assembly on the peaceful settlement of international disputes is likely to contribute to the strengthening of the role and the efficiency of the United Nations in preventing conflicts and settling them peacefully;

4. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization to continue the elaboration of the draft Manila declaration on the peaceful settlement of international disputes with a view to submitting it for further consideration to the General Assembly at its thirty-sixth session;

5. *Refers* to the Special Committee the report of its Working Group on the Peaceful Settlement of Disputes,¹⁸ as well as the views expressed at the current session of the General Assembly on the contents of the declaration;

6. *Expresses the hope* that the States which have not yet transmitted to the Secretary-General their opinions on that matter will do so as soon as possible in order to contribute, in this way also, to the elaboration of the declaration;

7. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Peaceful settlement of disputes between States".

95th plenary meeting
15 December 1980

35/161. 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 Commis-

¹⁶ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 33 (A/35/33 and Corr.1).

¹⁷ Ibid., para. 159.

¹⁸ A/C.6/35/L.21.

sion on the work of its thirtieth session, in particular section II of the resolution,

Having considered the item entitled "Consideration of the draft articles on most-favoured-nation clauses", including the report of the Secretary-General submitted pursuant to resolution 33/139,¹⁹

Bearing in mind the importance of facilitating international trade and 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,

Aware of the fact that more replies from States and interested intergovernmental agencies are needed,

1. *Takes note* of the report of the Secretary-General;

2. *Requests* the Secretary-General to reiterate his invitation to Member States, organs of the United Nations which have competence in the subject-matter and interested intergovernmental organizations to submit or bring up to date, not later than 30 June 1981, their written comments and observations on chapter II of the report of the International Law Commission on the work of its thirtieth session²⁰ and, in particular, on:

(a) The draft articles on most-favoured-nation clauses adopted by the Commission;

(b) Those provisions relating to such clauses on which the Commission was unable to take decisions;

and also requests States to comment on the recommendation of the Commission that those draft articles should be recommended to Member States with a view to the conclusion of a convention on the subject;

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

4. *Further requests* the Secretary-General to bring up to date, in view of the comments and observations mentioned in paragraph 2 above, the analytical compilation of comments and observations from Governments, organs of the United Nations which have competence in the subject-matter and interested intergovernmental organizations;

5. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Consideration of the draft articles on most-favoured-nation clauses" and to consider it at an early stage.

95th plenary meeting
15 December 1980

35/162. Review of the multilateral treaty-making process

The General Assembly,

Bearing in mind that multilateral treaties are an important primary source of international law,

Conscious, therefore, that the process of elaboration of multilateral treaties, directed towards the progressive development of international law and its codification, forms an important part of the work of the United Nations and of the international community in general,

Recalling its resolution 32/48 of 8 December 1977, by which it requested the Secretary-General to prepare a

¹⁹ A/35/203 and Add.1-3.

²⁰ Official Records of the General Assembly, Thirty-third Session, Supplement No. 10 (A/33/10).

report on the techniques and procedures used in the elaboration of multilateral treaties, taking into consideration the observations of Governments and of the International Law Commission on the subject,

Aware of the heavy burden which active involvement in the process of multilateral treaty-making places upon Governments,

Convinced that the most rational use should be made of the finite resources available for elaboration of multilateral treaties,

Taking into account statements made at the current session in the debate in the Sixth Committee,²¹

1. *Takes note* of the report of the Secretary-General,²² and of the views of Governments and of the International Law Commission contained in the addenda thereto,²³ on the review of the multilateral treaty-making process;

2. *Invites* Governments and international intergovernmental organizations to submit by 31 July 1981 their observations on the report of the Secretary-General, taking into account the specific questions contained in section IV thereof, as well as their comments on any other aspect of the subject, as they consider desirable;

3. *Requests* the Secretary-General to make his report and its addenda widely available to other interested organizations which are active in the preparation and study of multilateral treaties, and to invite them to comment on the subject of the report;

4. *Requests* the Secretary-General to collate and arrange the material received pursuant to General Assembly resolution 32/48, with a view to its possible publication;

5. *Also requests* the Secretary-General to prepare and publish new editions of the Handbook of Final Clauses²⁴ and the Summary of the Practice of the Secretary-General as Depositary of Multilateral Agreements;²⁵

6. *Further requests* the Secretary-General to submit to the General Assembly at its thirty-sixth session a report containing the replies received pursuant to paragraphs 2 and 3 above, as well as a topical summary of the debate at its thirty-fifth session;

7. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Review of the multilateral treaty-making process".

*95th plenary meeting
15 December 1980*

35/163. Report of the International Law Commission

The General Assembly,

Having considered the report of the International Law Commission on the work of its thirty-sixth session,²⁶

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 the Charter of the

United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations²⁷ and to give increased importance to its role in relations among States,

Noting with appreciation that at its thirty-second session the International Law Commission, pursuant to General Assembly resolutions 33/139 of 19 December 1978 and 34/141 of 17 December 1979, completed the first reading of the addendum to the draft articles on succession of States in respect of matters other than treaties and of the draft articles on treaties concluded between States and international organizations or between international organizations, as well as the first reading of the set of articles constituting part one of the draft on responsibility of States for internationally wrongful acts,

Noting further with appreciation the progress made by the International Law Commission in the preparation of draft articles on the law of the non-navigational uses of international watercourses, and on jurisdictional immunities of States and their property, as well as the work done by it regarding the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and international liability for injurious consequences arising out of acts not prohibited by international law,

Recognizing the importance of referring legal and drafting questions to the Sixth Committee, including topics which might be submitted to the International Law Commission, thus enabling the Commission further to enhance its contribution to the progressive development of international law and its codification,

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

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

3. *Approves* the programme of work planned by the International Law Commission for 1981;²⁸

4. *Recommends* that, taking into account the written comments of Governments and views expressed in debates in the General Assembly, the International Law Commission should, at its thirty-third session:

(a) Complete, as recommended by the General Assembly in resolution 34/141, the second reading of the draft articles on succession of States in respect of matters other than treaties, adopted at its thirty-first and thirty-second sessions;

(b) Commence the second reading of the draft articles on treaties concluded between States and international organizations or between international organizations;

(c) Continue its work on State responsibility with the aim of beginning the preparation of draft articles concerning part two of the draft on responsibility of States for internationally wrongful acts, bearing in mind the need for a second reading of the draft articles constituting part one of the draft;

(d) Continue its work on international liability for injurious consequences arising out of acts not prohibited by international law;

(e) Proceed with the preparation of draft articles on the law of the non-navigational uses of international

²¹ *Ibid.*, Thirty-fifth Session, Sixth Committee, 55th, 60th-64th, 73rd and 75th meetings; and *ibid.*, Sixth Committee, Sessional Fascicle, corrigendum.

²² A/35/312 and Corr.1.

²³ A/35/312/Add.1 and 2 and Add.2/Corr.1.

²⁴ ST/LEG/6.

²⁵ ST/LEG/7.

²⁶ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 10 (A/35/10).*

²⁷ Resolution 2625 (XXV), annex.

²⁸ See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 10 (A/35/10)*, chap. IX, sect. A.