

ticularly in view of the economic difficulties encountered by the developing countries,

*Considering* the close link between the establishment of a just and equitable international economic order and the existence of an appropriate legal framework,

*Recognizing* the need for a systematic and progressive development of the principles and norms of international law relating to the new international economic order,

*Aware*, however, that the period of time available for consideration of the analytical study submitted to the General Assembly at its thirty-ninth session by the United Nations Institute for Training and Research,<sup>17</sup> has been relatively short and that so far only a limited number of Member States have been able to submit their views and comments thereon<sup>18</sup> pursuant to paragraph 2 of resolution 39/75,

*Convinced* that a sufficient number of views and comments from Member States would be necessary for a proper consideration of the manner by which further work on the subject may be carried out,

1. *Urges* Member States that have not done so to submit, not later than 30 June 1986, their views and comments with respect to the study, including proposals concerning further action and procedures to be adopted within the framework of the Sixth Committee with regard to the consideration of the analytical study;

2. *Recommends* that the consideration of the most appropriate procedure for completing the elaboration of the process of progressive development of the relevant principles and norms of international law, and of the forum which would be entrusted with the task, be undertaken by the General Assembly at its forty-first session, with a view to making a final decision after taking into account all the proposals and suggestions made by Member States on the matter;

3. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Progressive development of the principles and norms of international law relating to the new international economic order".

*112th plenary meeting  
11 December 1985*

#### **40/68. Peaceful settlement of disputes between States**

*The General Assembly,*

*Having examined* the item entitled "Peaceful settlement of disputes between States",

*Recalling* its resolution 37/10 of 15 November 1982, by which it approved the Manila Declaration on the Peaceful Settlement of International Disputes, annexed thereto,

*Recalling also* its resolutions 38/131 of 19 December 1983 and 39/79 of 13 December 1984,

*Deeply concerned* at the continuation of conflict situations and the emergence of new sources of disputes and tension in international life, and especially at the growing tendency to resort to force or the threat of force and to intervention in internal affairs, and at the escalation of the arms race, which gravely endanger the independence and security of States as well as international peace and security,

*Taking into account* the need to exert the utmost effort in order to settle any situations and disputes between

States exclusively by peaceful means and to avoid any military actions and hostilities against other States, which can only make more difficult the solution of existing problems,

*Considering* that the question of the peaceful settlement of disputes should represent one of the central concerns for States and for the United Nations, and that efforts for strengthening the process of peaceful settlement of disputes should be continued,

*Taking note* of the working papers on the establishment of a commission on good offices, mediation and conciliation for the settlement of disputes and the prevention of conflicts among States, submitted by Nigeria, the Philippines and Romania,<sup>19</sup>

*Taking into account* the elaboration by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization of the outline for the handbook on the peaceful settlement of disputes between States and the conclusions thereon,<sup>20</sup>

1. *Again urges* all States to observe and promote in good faith the provisions of the Manila Declaration on the Peaceful Settlement of International Disputes in the settlement of their international disputes;

2. *Stresses* the need to continue efforts to strengthen the process of the peaceful settlement of disputes through progressive development and codification of international law and through enhancing the effectiveness of the United Nations in this field;

3. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, during its session in 1986, to continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(a) To continue the consideration of the proposal contained in working papers submitted by Nigeria, the Philippines and Romania;

(b) To examine the report of the Secretary-General on the progress of work on the draft handbook on the peaceful settlement of disputes between States;

4. *Requests* the Secretary-General to continue the preparation of a draft handbook on the peaceful settlement of disputes between States, on the basis of the outline elaborated by the Special Committee and in the light of the views expressed in the course of the discussions in the Sixth Committee<sup>21</sup> and in the Special Committee,<sup>22</sup> and to report to the Special Committee at its session in 1986 on the progress of work, before submitting to it the draft handbook in its final form, with a view to its approval at a later stage;

5. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Peaceful settlement of disputes between States"

*112th plenary meeting  
11 December 1985*

#### **40/69. Draft Code of Offences against the Peace and Security of Mankind**

*The General Assembly,*

*Mindful* of Article 13, paragraph 1 a, of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommenda-

<sup>17</sup> A/39/504/Add.1, annex III.

<sup>18</sup> See A/40/446 and Add.1 and Add.1/Corr.1.

<sup>19</sup> A/38/343, annex; A/C.6/39/L.2.

<sup>20</sup> See *Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 33 (A/39/33)*, sect. III.B.

<sup>21</sup> *Ibid.*, Fortieth Session, Sixth Committee, 37th to 43rd, 48th and 50th meetings.

<sup>22</sup> *Ibid.*, Fortieth Session, Supplement No. 33 (A/40/33 and Corr.1), sect. II.