

IX. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE<sup>1</sup>

## CONTENTS

Resolution No.	Title	Item	Date of adoption	Page
43/48	Report of the Committee on Relations with the Host Country (A/43/900) . . . . .	137	30 November 1988	275
43/51	Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field (A/43/886) . . . . .	135	5 December 1988	276
43/160	Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States (A/43/880) . . . . .			
	Resolution A . . . . .	126	9 December 1988	277
	Resolution B . . . . .	126	9 December 1988	278
43/161	Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (A/43/819) . . . . .	127	9 December 1988	278
43/162	Progressive development of the principles and norms of international law relating to the new international economic order (A/43/881) . . . . .	128	9 December 1988	279
43/163	Peaceful settlement of disputes between States (A/43/882) . . . . .	129	9 December 1988	279
43/164	Draft Code of Crimes against the Peace and Security of Mankind (A/43/883) . . . . .	130	9 December 1988	280
43/165	United Nations Convention on International Bills of Exchange and International Promissory Notes (A/43/820) . . . . .	131	9 December 1988	280
43/166	Report of the United Nations Commission on International Trade Law on the work of its twenty-first session (A/43/820) . . . . .	131	9 December 1988	291
43/167	Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives (A/43/821) . . . . .	132	9 December 1988	292
43/168	Report of the <i>Ad Hoc</i> Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries (A/43/884) . . . . .	133	9 December 1988	293
43/169	Report of the International Law Commission on the work of its fortieth session (A/43/885) . . . . .	134	9 December 1988	294
43/170	Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/43/886) . . . . .	135	9 December 1988	295
43/171	Development and strengthening of good-neighbourliness between States (A/43/887) . . . . .			
	Resolution A . . . . .	136	9 December 1988	296
	Resolution B . . . . .	136	9 December 1988	296
43/172	Report of the Committee on Relations with the Host Country (A/43/900/Add.1) . . . . .	137	9 December 1988	297
43/173	Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (A/43/889) . . . . .	138	9 December 1988	297

<sup>1</sup> For the decisions adopted on the reports of the Sixth Committee, see sect. X.B.8.

#### 43/48. Report of the Committee on Relations with the Host Country

*The General Assembly,*

Recalling Article 105 of the Charter of the United Nations and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, dated 26 June 1947,<sup>2</sup>

Recalling also its resolution 3237 (XXIX) of 22 November 1974, in which, *inter alia*, it invited the Palestine Liberation Organization to participate in the sessions and the work of the General Assembly in the capacity of observer,

Affirming the right of Member States and observers freely to designate the members of their delegation to participate in the sessions and the work of the General Assembly,

Having been apprised that the Palestine Liberation Organization, in conformity with the usual practice, had requested through the Secretary-General an entry visa for Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, in order to participate in the forty-third session of the General Assembly,

Having been informed of the decision of the host country to deny the requested visa, in violation of its international legal obligations under the Agreement,

Endorsing the opinion of the Legal Counsel of the United Nations rendered on 28 November 1988,<sup>3</sup>

1. Affirms the right of the Palestine Liberation Organization freely to designate the members of its delegation to participate in the sessions and the work of the General Assembly;

2. Deplores the failure by the host country to approve the granting of the requested entry visa;

<sup>2</sup> See resolution 169 (II).

<sup>3</sup> A/C.6/43/7.

3. *Considers* that this decision by the Government of the United States of America, the host country, constitutes a violation of the international legal obligations of the host country under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations;

4. *Urges* the host country to abide scrupulously by the provisions of the Agreement and to reconsider and reverse its decision;

5. *Requests* the Secretary-General to submit a report on the developments in this matter no later than 1 December 1988.

*65th plenary meeting  
30 November 1988*

**43/51. Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field**

*The General Assembly,*

*Recalling* its resolutions 38/141 of 19 December 1983, 39/88 of 13 December 1984, 40/78 of 11 December 1985, 41/83 of 3 December 1986 and 42/157 of 7 December 1987,

*Taking note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization,<sup>4</sup> which met in New York from 22 February to 11 March 1988 and completed a draft Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field,

*Convinced* that the adoption of the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field will contribute towards strengthening the role and enhancing the effectiveness of the United Nations in maintaining international peace and security,

*Considering* the need to ensure a wide dissemination of the text of the Declaration,

1. *Approves* the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field, the text of which is annexed to the present resolution;

2. *Expresses its appreciation* to the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization for its important contribution to the elaboration of the text of the Declaration;

3. *Requests* the Secretary-General to inform the Governments of the States Members of the United Nations or members of specialized agencies, and the Security Council, of the adoption of the Declaration;

4. *Urges* that every effort be made to ensure that the Declaration becomes generally known and fully implemented.

*68th plenary meeting  
5 December 1988*

**ANNEX**

**Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field**

*The General Assembly,*

*Recognizing* the important role that the United Nations and its organs can play in the prevention and removal of international disputes and situations which may lead to international friction or give rise to an international dispute, the continuance of which may threaten the maintenance of international peace and security (hereafter: "disputes" or "situations"), within their respective functions and powers under the Charter of the United Nations,

*Convinced* that the strengthening of such a role of the United Nations will enhance its effectiveness in dealing with questions relating to the maintenance of international peace and security and in promoting the peaceful settlement of international disputes,

*Recognizing* the fundamental responsibility of States for the prevention and removal of disputes and situations,

*Recalling* that the peoples of the United Nations are determined to practise tolerance and live together in peace with one another as good neighbours,

*Bearing in mind* the right of all States to resort to peaceful means of their own choice for the prevention and removal of disputes or situations,

*Reaffirming* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>5</sup> the Manila Declaration on the Peaceful Settlement of International Disputes<sup>6</sup> and the Declaration on the Enhancement of the Effectiveness of the Principle of Refrain from the Threat or Use of Force in International Relations,<sup>7</sup>

*Recalling* that it is the duty of States to refrain in their international relations from military, political, economic or any other form of coercion against the political independence or territorial integrity of any State,

*Calling upon* States to co-operate fully with the relevant organs of the United Nations and to support actions taken by them in accordance with the Charter relating to the prevention or removal of disputes and situations,

*Bearing in mind* the obligation of States to conduct their relations with other States in accordance with international law, including the principles of the United Nations,

*Reaffirming* the principle of equal rights and self-determination of peoples,

*Recalling* that the Charter confers on the Security Council the primary responsibility for the maintenance of international peace and security, and that Member States have agreed to accept and carry out its decisions in accordance with the Charter,

*Recalling also* the important role conferred by the Charter on the General Assembly and the Secretary-General in the maintenance of international peace and security,

1. *Solemnly declares* that:

1. States should act so as to prevent in their international relations the emergence or aggravation of disputes or situations, in particular by fulfilling in good faith their obligations under international law;

2. In order to prevent disputes or situations, States should develop their relations on the basis of the sovereign equality of States and in such a manner as to enhance the effectiveness of the collective security system through the effective implementation of the provisions of the Charter of the United Nations;

3. States should consider the use of bilateral or multilateral consultations in order better to understand each other's views, positions and interests;

4. States party to regional arrangements or members of agencies referred to in Article 52 of the Charter should make every effort to prevent or remove local disputes or situations through such arrangements and agencies;

5. States concerned should consider approaching the relevant organs of the United Nations in order to obtain advice or recommendations on preventive means for dealing with a dispute or situation;

<sup>4</sup> Official Records of the General Assembly, Forty-third Session, Supplement No. 33 (A/43/33).

<sup>5</sup> Resolution 2625 (XXV), annex.

<sup>6</sup> Resolution 37/10, annex.

<sup>7</sup> Resolution 42/22, annex.