

Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations,

Recalling, in particular, its resolutions 33/96 of 16 December 1978 and 34/13 of 9 November 1979, in which it decided that the Special Committee should continue its work,

Having considered the report of the Special Committee,⁹

Taking note of the fact that, owing to lack of time, the Special Committee was not able to consider in depth the new proposals submitted to it during its last session,

Taking into account that the Special Committee has not completed the mandate entrusted to it,

Reaffirming the need for universal and effective application of the principle of the non-use of force in international relations and for assistance by the United Nations in this endeavour,

Expressing the hope that the Special Committee will, on the basis of all the proposals before it, complete the mandate entrusted to it as soon as possible,

1. *Takes note* of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;

2. *Decides* that the Special Committee shall continue its work with the goal of drafting, at the earliest possible date, a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate;

3. *Requests* the Special Committee to consider thoroughly, and to take duly into account, all the proposals submitted to it with a view to ensuring a successful completion of its mandate;

4. *Invites* the Governments which have not yet done so to communicate their comments or suggestions or to bring them up to date, in accordance with General Assembly resolution 31/9;

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

6. *Invites* the Special Committee to submit a report on its work to the General Assembly at its thirty-sixth session;

7. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations".

*81st plenary meeting
4 December 1980*

35/51. 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 thirteenth session,¹⁰

Recalling its resolutions 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law and defined the ob-

ject and terms of reference of the Commission, 3108 (XXVIII) of 12 December 1973, by which it increased the membership of the Commission, 31/99 of 15 December 1976, by which Governments of Member States not members of the Commission were entitled to attend as observers the sessions of the Commission and its working groups, and 34/142 of 17 December 1979, by which the co-ordinating function of the Commission in the field of international trade law was emphasized, as well as its previous resolutions concerning the reports of the Commission on the work of its annual sessions,

Recalling also its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) of 16 September 1975,

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, equity and common interests and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having regard for the need to take into account the different social and legal systems in harmonizing the rules of international trade law,

Stressing the usefulness and importance of organizing symposia for promoting better knowledge and understanding of international trade law and, especially, for the training of young lawyers from developing countries in this field,

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

2. *Takes note* of the successful conclusion of the United Nations Conference on Contracts for the International Sale of Goods, held at Vienna from 10 March to 11 April 1980, which has resulted in the adoption of the Convention on Contracts for the International Sale of Goods¹¹ and a Protocol Amending the Convention on the Limitation Period in the International Sale of Goods;¹²

3. *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;

4. *Notes with satisfaction* that the United Nations Commission on International Trade Law has unanimously adopted the Conciliation Rules of the Commission;¹³

5. *Calls upon* the United Nations Commission on International Trade Law to continue to take account of the relevant provisions of the resolutions concerning the new international economic order, as adopted by the General Assembly at its sixth and seventh special sessions;

6. *Welcomes* the decision of the United Nations Commission on International Trade Law to the effect that its Working Group on the New International Economic Order shall be composed of all States members of the Commission;¹⁴

7. *Takes note with appreciation* of the fact that the United Nations Commission on International Trade

¹¹ A/CONF.97/18, annex I.

¹² *Ibid.*, annex II.

¹³ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 17 (A/35/17)*, paras. 105 and 106.

¹⁴ *Ibid.*, para. 143.

⁹ *Ibid.*, *Thirty-fifth Session, Supplement No. 41 (A/35/41)*.

¹⁰ *Ibid.*, *Supplement No. 17 (A/35/17)*.

Law has welcomed the recommendation of the Working Group on the New International Economic Order concerning subject-matters to be included in the programme of work of the Commission and endorses the decision of the Commission that preparatory work be carried out in respect of contracts on supply and construction of large industrial works and on industrial co-operation;¹⁴

8. *Reaffirms* the mandate of the United Nations Commission on International Trade Law in co-ordinating legal activities in the field of international trade law;

9. *Recommends* that the United Nations Commission on International Trade Law should:

(a) Continue its work on the topics included in its programme of work;

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

(c) Maintain close collaboration with the United Nations Conference on Trade and Development, the International Law Commission and the United Nations Industrial Development Organization and continue to collaborate with international organizations active in the field of international trade law;

(d) Continue to maintain liaison with the Commission on Transnational Corporations with regard to the consideration of legal problems that would be susceptible of action by the United Nations Commission on International Trade Law;

10. *Expresses its appreciation* to all States which have offered to make contributions to the holding at Vienna in 1981 of the second symposium on international trade law of the United Nations Commission on International Trade Law on the occasion of the fourteenth session of the Commission;

11. *Appeals* to other States and to organizations, institutions and individuals to make similar contributions so that the number of participants in the second symposium from developing countries might be increased;

12. *Reaffirms* the importance of the legal work that is being undertaken by the United Nations Commission on International Trade Law and of the increased role of the International Trade Law Branch of the Office of Legal Affairs of the Secretariat as the substantive secretariat of the Commission and, in this connexion:

(a) Recognizes the relevance of summary records for the legislative history of United Nations treaties, conventions and other texts of a legal character and emphasizes the advisability of continuing the practice of drawing up complete summary records for meetings of the Commission that are devoted to the preparation of draft conventions or other legal instruments;

(b) Requests the Secretary-General to earmark, out of the funds allocated to the common library of the Vienna International Centre, such an amount as is necessary for the maintenance of the law library of the Commission and for the acquisition of materials that are required in the context of the programme of work of the Commission;

(c) Appeals to Governments to contribute to the law library of the Commission at Vienna legal materials which are relevant to the work of the Commission, including official journals, gazettes and legislative texts;

(d) Further appeals to Governments to provide the secretariat of the Commission with relevant materials pertaining to arbitration procedure so that it can complete its work on a model law on arbitral procedure;

13. *Requests* the Secretary-General to forward to the United Nations Commission on International Trade Law the records of the discussion at the thirty-fifth session of the General Assembly relating to the report of the Commission on the work of its thirteenth session.

81st plenary meeting
4 December 1980

35/52. Conciliation Rules of the United Nations Commission on International Trade Law

The General Assembly,

Recognizing the value of conciliation as a method of amicably settling disputes arising in the context of international commercial relations,

Convinced that the establishment of conciliation rules that are acceptable in countries with different legal, social and economic systems would significantly contribute to the development of harmonious international economic relations,

Noting that the Conciliation Rules of the United Nations Commission on International Trade Law were adopted by the Commission at its thirteenth session¹⁵ after consideration of the observations of Governments and interested organizations,

1. *Recommends* the use of the Conciliation Rules of the United Nations Commission on International Trade Law in cases where a dispute arises in the context of international commercial relations and the parties seek an amicable settlement of that dispute by recourse to conciliation;

2. *Requests* the Secretary-General to arrange for the widest possible distribution of the Conciliation Rules.

81st plenary meeting
4 December 1980

35/160. Peaceful settlement of disputes between States

The General Assembly,

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

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 at the escalation of the arms race, which gravely endanger the independence and security of States, as well as international peace and security,

Reaffirming its resolution 34/102 of 14 December 1979, in which it urged all States to co-operate in the elaboration of a declaration of the General Assembly on the peaceful settlement of disputes between States,

Considering that the elaboration of a declaration on the peaceful settlement of disputes between States could contribute to the elimination of the danger of recourse to force or the threat of force and, therefore, to the strengthening of international peace and security,

Noting with satisfaction the report of the Secretary-General,¹⁶ containing the opinions, suggestions and proposals of States regarding the declaration on the peaceful settlement of disputes between States,

¹⁵ A/35/391 and Add.1.