

37/112. Convention on the Law of Treaties between States and International Organizations or between International Organizations

The General Assembly,

Recalling that, following consideration of a recommendation adopted by the United Nations Conference on the Law of Treaties, held at Vienna in 1968 and 1969, the General Assembly, by its resolution 2501 (XXIV) of 12 November 1969, recommended that the International Law Commission should study, in consultation with the principal international organizations, as it may consider appropriate in accordance with its practice, the question of treaties concluded between States and international organizations or between two or more international organizations, as an important question,

Noting that, pursuant to General Assembly resolution 36/114 of 10 December 1981, the International Law Commission, taking into account the written comments of Governments and of principal international organizations as well as views expressed in debates in the Assembly, completed at its thirty-fourth session the second reading of the draft articles on the said question,⁴¹

Noting that, as reflected in paragraph 57 of the report of the International Law Commission on the work of its thirty-fourth session,⁴² the Commission decided to recommend that the General Assembly should convoke a conference to study the draft articles on the law of treaties between States and international organizations or between international organizations prepared by the Commission and to conclude a convention,

Recalling the adoption of the Vienna Convention on the Law of Treaties of 23 May 1969,⁴³ the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character of 14 March 1975⁴⁴ and the Vienna Convention on Succession of States in respect of Treaties of 23 August 1978,⁴⁵

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 recommendations for the purpose of encouraging the progressive development of international law and its codification,

Believing that the successful codification and progressive development of the rules of international law governing treaties between States and international organizations or between international organizations would contribute to the development of friendly relations and co-operation among States, irrespective of their differing constitutional and social systems, and would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

1. Expresses its appreciation to the International Law Commission for its valuable work on the law of treaties between States and international organizations or between international organizations and to the Special Rapporteur on the topic for his contribution to this work;

2. Invites States to submit, not later than 1 July 1983, their written comments and observations on the final draft articles on the law of treaties between States and international organizations or between international organizations, prepared by the International Law Commission, as well as on the questions referred to in paragraph 60 of the report of the Commission on the work of its thirty-fourth session;⁴⁶

3. Invites also the principal international intergovernmental organizations to submit within the same period their written comments and observations on the subject;

4. Requests the Secretary-General to circulate such comments so as to facilitate the discussion on the subject at the thirty-eighth session of the General Assembly;

5. Decides that an international convention shall be concluded on the basis of the draft articles adopted by the International Law Commission;

6. Takes note of the recommendation of the International Law Commission on the subject and agrees to decide at its thirty-eighth session upon the appropriate forum for the adoption of the convention in the light of the comments received in accordance with the present resolution;

7. Decides to include in the provisional agenda of its thirty-eighth session an item entitled "Convention on the Law of Treaties between States and International Organizations or between International Organizations".

*107th plenary meeting
16 December 1982*

37/113. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,⁴⁶

Recalling Article 105 of the Charter of the United Nations, the Convention on Privileges and Immunities of the United Nations⁴⁷ and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,⁴⁸

Recalling further that the problems related to the privileges and immunities of all missions accredited to the United Nations, their security and the safety of their personnel are of great importance and concern to them, as well as the primary responsibility of the host country,

Noting with deep concern the continued acts violating the security of missions and the safety of the personnel of missions accredited to the United Nations,

Recognizing that effective measures should be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. Endorses the recommendations of the Committee on Relations with the Host Country contained in paragraph 43 of its report;

2. Urges the host country to continue to take all necessary measures effectively to ensure the protection, security and safety of the missions accredited to the United Nations and their personnel, including practicable measures to prohibit illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions and representatives;

⁴⁶ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 26 (A/37/26).

⁴⁷ Resolution 22 A (I).

⁴⁸ Resolution 169 (II).

⁴¹ *Ibid.*, Supplement No. 10 (A/37/10), chap. II.

⁴² *Ibid.*, Supplement No. 10 (A/37/10).

⁴³ Official Records of the United Nations Conference on the Law of Treaties, Vienna, 26 March-24 May 1968 and 9 April-22 May 1969 (United Nations publication, Sales No. E.70.V.5), p. 287.

⁴⁴ Official Records of the United Nations Conference on the Representation of States in Their Relations with International Organizations, Vienna, 4 February-14 March 1975, vol. II (United Nations publication, Sales No. E.75.V.12), p. 207.

⁴⁵ Official Records of the United Nations Conference on Succession of States in Respect of Treaties, Vienna, 4 April-6 May 1977 and 31 July-23 August 1978, vol. III (United Nations publication, Sales No. E.79.V.10), p. 185.

3. *Strongly condemns* the acts violating the security of all missions accredited to the United Nations and the safety of their personnel;

4. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country and, in this context, to continue to stress to the host country the importance of effective measures to avoid any acts violating the security of missions and the safety of their personnel;

5. *Urges* the host country and the missions concerned, in any cases in which problems arise regarding privileges and immunities of members of missions to the United Nations, to make full use of the good offices of the Secretary-General in pursuit of solutions satisfactory to the parties involved;

6. *Requests* the Committee on Relations with the Host Country to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

7. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "Report of the Committee on Relations with the Host Country".

*107th plenary meeting
16 December 1982*

37/114. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Reaffirming its support for the purposes and principles set forth in the Charter of the United Nations,

Recalling its resolutions 686 (VII) of 5 December 1952, 992 (X) of 21 November 1955, 2285 (XXII) of 5 December 1967, 2552 (XXIV) of 12 December 1969, 2697 (XXV) of 11 December 1970, 2968 (XXVII) of 14 December 1972 and 3349 (XXIX) of 17 December 1974,

Recalling also its resolutions 2925 (XXVII) of 27 November 1972, 3073 (XXVIII) of 30 November 1973 and 3282 (XXIX) of 12 December 1974 on the strengthening of the role of the United Nations,

Recalling especially its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its resolutions 31/28 of 29 November 1976, 32/45 of 8 December 1977, 33/94 of 16 December 1978, 34/147 of 17 December 1979, 35/164 of 15 December 1980 and 36/122 of 11 December 1981,

Welcoming the report of the Secretary-General on the work of the Organization,⁴⁹

Having considered the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of the session it held in 1982,⁵⁰

Noting that significant progress has been made in fulfilling the mandate of the Special Committee,

Noting the importance that pre-session consultations among the members of the Special Committee and other interested States may have in facilitating the fulfilment of its task,

Considering that the Special Committee has not yet completed the mandate entrusted to it,

1. *Takes 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;

2. *Welcomes* the adoption by the General Assembly, at its thirty-seventh session, of the Manila Declaration on the Peaceful Settlement of International Disputes⁵¹ as a significant achievement of the Special Committee;

3. *Decides* that the Special Committee should continue its work in pursuance of the following tasks with which it is entrusted:

(a) To list the proposals which have been made or will be made in the Committee and to identify those which have awakened special interest;

(b) To examine proposals which have been made or will be made in the Committee with a view to according priority to the consideration of those on which agreement seems possible and to make recommendations thereon;

4. *Also decides* that the Special Committee shall convene its next session from 11 April to 6 May 1983;

5. *Requests* the Special Committee at its next session:

(a) To accord priority in its work to the proposals regarding the question of the maintenance of international peace and security, to document A/AC.182/L.29/Rev.1⁵² as well as to other proposals made in regard to this subject, including those relating to the functioning of the Security Council;

(b) To continue its work on the question of the peaceful settlement of disputes by considering the remaining proposals contained in the list prepared by the Special Committee in accordance with General Assembly resolution 33/94;⁵³

(c) To consider proposals made by Member States on the question of rationalization of existing procedures of the United Nations, as agreed by the Special Committee,⁵⁴ and to consider any proposals under other relevant topics;

6. *Requests* the Special Committee to be mindful of the importance of reaching general agreement whenever that has significance for the outcome of its work;

7. *Urges* members of the Special Committee to participate fully in its work in fulfilment of the mandate entrusted to it;

8. *Decides* that the Special Committee shall accept the participation in its meetings of observers of Member States and, paying due regard to its efficiency and the time at its disposal, allow their participation in the meetings of its working groups;

9. *Invites* Governments to submit or to bring up to date, if they deem it necessary, their observations and proposals, in accordance with General Assembly resolution 3499 (XXX);

10. *Requests* the Secretary-General to render all assistance to the Special Committee;

11. *Requests* the Special Committee to report on its work to the General Assembly at its thirty-eighth session;

12. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "Report of the Special

⁵¹ Resolution 37/10.

⁵² See *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 33 (A/37/33)*, para. 254.

⁵³ *Ibid.*, Thirty-fourth Session, Supplement No. 33 (A/34/33), para. 13.

⁵⁴ *Ibid.*, Thirty-seventh Session, Supplement No. 33 (A/37/33), para. 17.

⁴⁹ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1)*.

⁵⁰ *Ibid.*, Supplement No. 33 (A/37/33).