

IX. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE¹

CONTENTS

| Resolution No. | Title | Item | Date of adoption | Page |
|----------------|---|----------------|------------------|------|
| 45/37 | Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States (A/45/730) | 135 | 28 November 1990 | 359 |
| 45/38 | Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (A/45/731) | 136 | 28 November 1990 | 360 |
| 45/39 | Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives (A/45/732) | 137 | 28 November 1990 | 360 |
| 45/40 | United Nations Decade of International Law (A/45/733) | 138 | 28 November 1990 | 361 |
| 45/41 | Report of the International Law Commission on the work of its forty-second session (A/45/735) | 140 and 142 | 28 November 1990 | 363 |
| 45/42 | Report of the United Nations Commission on International Trade Law on the work of its twenty-third session (A/45/736) | 141 | 28 November 1990 | 365 |
| 45/43 | Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto (A/45/738) | 143 | 28 November 1990 | 365 |
| 45/44 | Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/45/739) | 144 | 28 November 1990 | 366 |
| 45/45 | Rationalization of existing United Nations procedures (A/45/739) | 144 | 28 November 1990 | 366 |
| 45/46 | Report of the Committee on Relations with the Host Country (A/45/740) | 145 | 28 November 1990 | 367 |
| 45/47 | Additional protocol on consular functions to the Vienna Convention on Consular Relations (A/45/741) | 146 | 28 November 1990 | 368 |

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

45/37. Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States

The General Assembly,

Recalling its resolutions 35/167 of 15 December 1980, 37/104 of 16 December 1982, 39/76 of 13 December 1984, 41/71 of 3 December 1986 and 43/160 B of 9 December 1988,

Recalling also its resolutions 3237 (XXIX) of 22 November 1974 and 3280 (XXIX) of 10 December 1974,

Taking note of the report of the Secretary-General,²

Bearing in mind the resolution of the United Nations Conference on the Representation of States in Their Relations with International Organizations relating to the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States,³

Noting that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, of 14 March

² A/45/438.

³ See *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), document A/CONF.67/15, annex.

1975,⁴ regulates only the representation of States in their relations with international organizations,

Taking into account the current practice of inviting the above-mentioned national liberation movements to participate as observers in the sessions of the General Assembly, specialized agencies and other organizations of the United Nations system and in the work of the conferences held under the auspices of such international organizations,

Convinced that the participation of the national liberation movements referred to above in the work of international organizations helps to strengthen international peace and co-operation,

Desirous of ensuring the effective participation of the above-mentioned national liberation movements as observers in the work of international organizations and of regulating, to that end, their status and the facilities, privileges and immunities necessary for the performance of their functions,

Noting that many States have recognized those national liberation movements and have granted them facilities, privileges and immunities in their countries,

1. Urges all States that have not done so, in particular those which are host to international organizations

⁴ *Ibid.*, vol. II, p. 207.

or to conferences convened by, or held under the auspices of, international organizations of a universal character, to consider as soon as possible the question of ratifying, or acceding to, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

2. *Calls once more upon* the States concerned to accord to the delegations of the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States and accorded observer status by international organizations, the facilities, privileges and immunities necessary for the performance of their functions, in accordance with the provisions of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

3. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

48th plenary meeting
28 November 1990

45/38. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986 and 43/161 of 9 December 1988,

Having considered the report of the Secretary-General⁵ on the status of the Protocols⁶ Additional to the Geneva Conventions of 1949⁷ and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Stressing the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and to disseminate knowledge of the two additional Protocols,

1. *Appreciates* the virtually universal acceptance of the Geneva Conventions of 1949 and the increasingly wide acceptance of the two additional Protocols of 1977;

2. *Notes*, however, the fact that, in comparison with the Geneva Conventions, the number of States parties to the two additional Protocols is still limited;

⁵ A/45/454.

⁶ United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

⁷ *Ibid.*, vol. 75, Nos. 970-973.

3. *Appeals* to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties also to the additional Protocols at the earliest possible date;

4. *Calls upon* all States becoming Parties to Protocol I to consider making the declaration provided for under article 90 of that Protocol;

5. *Requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the status of the additional Protocols based on information received from Member States;

6. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

48th plenary meeting
28 November 1990

45/39. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The General Assembly,

Having considered the report of the Secretary-General,⁸

Conscious of the need to develop and strengthen friendly relations and co-operation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

Alarmed by the repeated acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,

Recalling Security Council resolutions 664 (1990) of 18 August 1990, 667 (1990) of 16 September 1990 and 674 (1990) of 29 October 1990 regarding, *inter alia*, certain recent flagrant violations of international law concerning the protection, security and safety of diplomatic and consular missions and representatives,

Mindful of the universal condemnation of those violations during the debate on the question in the Sixth Committee at the forty-fifth session of the General Assembly,⁹

Concerned at the abuse of diplomatic or consular privileges and immunities, particularly if acts of violence are involved,

Emphasizing the duty of States to take all appropriate measures as required by international law, including measures of a preventive nature, and to bring offenders to justice,

⁸ A/45/455 and Add.1-3.

⁹ See *Official Records of the General Assembly, Forty-fifth Session, Sixth Committee, 5th to 7th and 45th meetings, and corrigendum.*