

Emphasizing the obligation of States, under customary international law, not to intervene in the internal affairs of other States,

1. *Urgently calls* for full and immediate compliance with the Judgment of the International Court of Justice of 27 June 1986 in the case of "Military and Paramilitary Activities in and against Nicaragua" in conformity with the relevant provisions of the Charter of the United Nations;

2. *Requests* the Secretary-General to keep the General Assembly informed on the implementation of this resolution;

3. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Judgment of the International Court of Justice of 27 June 1986 concerning military and paramilitary activities in and against Nicaragua: need for immediate compliance".

*68th plenary meeting
12 November 1987*

42/19. Question of the Falkland Islands (Malvinas)⁶²

The General Assembly,

Having considered the question of the Falkland Islands (Malvinas) and having received the report of the Secretary-General,⁶³

Aware of the interest of the international community in the peaceful and definitive settlement by the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland of all their differences, in accordance with the Charter of the United Nations,

Taking note of the interest repeatedly expressed by both parties in normalizing their relations,

Convinced that such purpose would be facilitated by a global negotiation between both Governments that will allow them to rebuild mutual confidence on a solid basis and to resolve the pending problems, including all aspects on the future of the Falkland Islands (Malvinas),

1. *Reiterates its request* to the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to initiate negotiations with a view to finding the means to resolve peacefully and definitively the problems pending between both countries, including all aspects on the future of the Falkland Islands (Malvinas), in accordance with the Charter of the United Nations;

2. *Requests* the Secretary-General to continue his renewed mission of good offices in order to assist the parties in complying with the request made in paragraph 1 above, and to take the necessary measures to that end;

3. *Requests* the Secretary-General to submit to the General Assembly at its forty-third session a report on the progress made in the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Question of the Falkland Islands (Malvinas)".

*72nd plenary meeting
17 November 1987*

42/20. Law of the sea

The General Assembly,

Reaffirming its resolutions 37/66 of 3 December 1982, 38/59 A of 14 December 1983, 39/73 of 13 December 1984, 40/63 of 10 December 1985 and 41/34 of 5 November 1986, regarding the law of the sea,

Recognizing that, as stated in the third preambular paragraph of the United Nations Convention on the Law of the Sea,⁶⁴ the problems of ocean space are closely interrelated and need to be considered as a whole,

Convinced that it is important to safeguard the unified character of the Convention and related resolutions adopted therewith and to refrain from any action to apply their provisions selectively, in a manner inconsistent with their object and purpose,

Emphasizing the need for States to ensure consistent application of the Convention, as well as the need for harmonization of national legislation with the provisions of the Convention,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, as well as the resources of the area, are the common heritage of mankind,

Recalling that the Convention provides the régime to be applied to the Area and its resources,

Emphasizing that no State should undermine the Convention and related resolutions of the Third United Nations Conference on the Law of the Sea,

Recognizing also the need for co-operation in the early and effective implementation by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea of resolution II of the Third United Nations Conference on the Law of the Sea,⁶⁴

Noting with satisfaction the progress made in the work of the Preparatory Commission since its inception, including the registration of India as a pioneer investor in the mining of the sea-bed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction,

Noting the decision of the Preparatory Commission to convene its General Committee from 7 to 18 December 1987 for the purpose of considering the applications of France, Japan and the Union of Soviet Socialist Republics for registration as pioneer investors,

Noting also that the Preparatory Commission has decided to hold its sixth regular session at Kingston from 14 March to 8 April 1988 and that it will decide upon the summer meeting for 1988 during its next session,⁶⁵

Noting further the increasing needs of countries, especially developing countries, for information, advice and assistance in the implementation of the Convention and in their developmental process for the full realization of the benefits of the comprehensive legal régime established by the Convention,

Recognizing that the Convention encompasses all uses and resources of the sea and that all related activities within the United Nations system need to be implemented in a manner consistent with it,

⁶⁴ *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/121, annex I.

⁶⁵ See A/42/688, para. 132.

⁶² See also sect. I, footnote 10, and sect. X.B.6, decision 42/410.

⁶³ A/42/732.

Taking note of activities carried out in 1987 under the major programme on marine affairs, set forth in chapter 25 of the medium-term plan for the period 1984-1989, in accordance with the report of the Secretary-General,⁶⁶ as approved in General Assembly resolution 38/59 A, and the report of the Secretary-General,⁶⁷

Recalling its approval of the financing of the expenses of the Preparatory Commission from the regular budget of the United Nations,

Taking special note of the report of the Secretary-General prepared in pursuance of paragraph 13 of General Assembly resolution 41/34,⁶⁷

1. *Recalls* the historic significance of the United Nations Convention on the Law of the Sea as an important contribution to the maintenance of peace, justice and progress for all peoples of the world;

2. *Expresses its satisfaction* at the increasing and overwhelming support for the Convention, as evidenced, *inter alia*, by the one hundred and fifty-nine signatures and thirty-five of the sixty ratifications or accessions required for entry into force of the Convention;

3. *Calls upon* all States that have not done so to consider ratifying or acceding to the Convention at the earliest possible date to allow the effective entry into force of the new legal régime for the uses of the sea and its resources;

4. *Calls upon* all States to safeguard the unified character of the Convention and related resolutions adopted therewith;

5. *Also calls upon* States to observe the provisions of the Convention when enacting their national legislation;

6. *Further calls upon* States to desist from taking actions which undermine the Convention or defeat its object and purpose;

7. *Notes* the progress being made by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea in all areas of its work;

8. *Expresses its satisfaction* at the successful resolution of conflicts of overlaps that had arisen in the claims of applicants for registration as pioneer investors and with those of certain potential applicants under resolution II of the Third United Nations Conference on the Law of the Sea;

9. *Further expresses its satisfaction* at the historic decision of the Preparatory Commission of 17 August 1987 to register the first pioneer investor, namely India, and at the decision of the Preparatory Commission to convene its General Committee from 7 to 18 December 1987 for the purpose of considering the applications of France, Japan and the Union of Soviet Socialist Republics for registration as pioneer investors;

10. *Expresses its appreciation* to the Secretary-General for his efforts in support of the Convention and for the effective execution of the major programme on marine affairs set forth in chapter 25 of the medium-term plan for the period 1984-1989;

11. *Further expresses its appreciation* for the report of the Secretary-General prepared in pursuance of General Assembly resolution 41/34 and requests him to continue to carry out the activities outlined therein, as well as those aimed at the strengthening of the legal régime of the sea, special emphasis being placed on the work of the Prepara-

tory Commission, including the implementation of resolution II of the Third United Nations Conference on the Law of the Sea;

12. *Calls upon* the Secretary-General to continue to assist States in the implementation of the Convention and in the development of a consistent and uniform approach to the legal régime thereunder, as well as in their national, subregional and regional efforts towards the full realization of the benefits therefrom and invites the organs and organizations of the United Nations system to co-operate and lend assistance in these endeavours;

13. *Approves* the decision of the Preparatory Commission to hold its sixth regular session at Kingston from 14 March to 8 April 1988 and notes that the Preparatory Commission will decide upon the summer meeting for 1988 during its next session;⁶⁵

14. *Requests* the Secretary-General to report to the General Assembly at its forty-third session on developments pertaining to the Convention and all related activities and on the implementation of the present resolution;

15. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Law of the sea".

73rd plenary meeting
18 November 1987

42/21. Application of the Republic of Nauru to become a party to the Statute of the International Court of Justice

Whereas the Government of Nauru, by a communication⁶⁸ dated 21 August 1987 addressed to the Secretary-General, has expressed the desire to learn the conditions on which Nauru could become a party to the Statute of the International Court of Justice,

Whereas Article 93, paragraph 2, of the Charter of the United Nations provides that a State which is not a Member of the United Nations may become a party to the Statute of the Court on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council,

Whereas the Security Council has adopted a recommendation on this matter,⁶⁹

The General Assembly

Determines, in pursuance of Article 93, paragraph 2, of the Charter and upon the recommendation of the Security Council, the conditions on which Nauru may become a party to the Statute of the International Court of Justice, as follows:

"The Republic of Nauru will become a party to the Statute on the date of the deposit with the Secretary-General of the United Nations of an instrument, signed on behalf of the Government of the Republic of Nauru and ratified as may be required by the constitutional law of the Republic of Nauru, containing:

"(a) Acceptance of the provisions of the Statute of the International Court of Justice;

"(b) Acceptance of all the obligations of a Member of the United Nations under Article 94 of the Charter;

"(c) An undertaking to contribute to the expenses of the Court such equitable amount as the General Assem-

⁶⁶ A/38/570 and Corr.1 and Add.1 and Add.1/Corr.1.

⁶⁷ A/42/688.

⁶⁸ See *Official Records of the Security Council, Forty-second Year, Supplement for July, August and September 1987*, document S/19137.

⁶⁹ See *Official Records of the General Assembly, Forty-second Session, Annex, agenda item 144*, document A/42/242.