

2. *Requests* the President of the General Assembly, after due consultation with the chairmen of the regional groups, to appoint the members of the Committee on the basis of equitable geographical distribution and representing the principal legal systems of the world;

3. *Requests* the Committee to elaborate at the earliest possible date an international convention to prohibit the recruitment, use, financing and training of mercenaries;

4. *Authorizes* the Committee in the fulfilment of its mandate to take into account suggestions and proposals from any State, bearing in mind the views and comments communicated to the Secretary-General<sup>3</sup> and those expressed during the debate on this item at the thirty-fifth session of the General Assembly;

5. *Requests* the Secretary-General to compile a list of all relevant legislation of Member States and any other conventions and protocols additional thereto of international and regional organizations on mercenaries and to place such materials at the disposal of the Committee;

6. *Requests* the Secretary-General to provide the Committee with any assistance and facilities it may require for the performance of its work;

7. *Requests* the Committee to present its report to the General Assembly at its thirty-sixth session;

8. *Decides* to include in the provisional agenda of its thirty-sixth session an item entitled "Report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries".

81st plenary meeting  
4 December 1980

\* \* \*

*The President of the General Assembly subsequently informed the Secretary-General<sup>4</sup> that he had appointed as members of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries thirty-four of the thirty-five States to be appointed by him in accordance with paragraphs 1 and 2 of the above resolution.*

*As a result, the Ad Hoc Committee is composed of the following Member States: ALGERIA, ANGOLA, BAHAMAS, BANGLADESH, BARBADOS, BENIN, BULGARIA, CANADA, DEMOCRATIC YEMEN, ETHIOPIA, FRANCE, GERMAN DEMOCRATIC REPUBLIC, GERMANY, FEDERAL REPUBLIC OF, GUYANA, INDIA, ITALY, JAMAICA, JAPAN, MONGOLIA, NIGERIA, PORTUGAL, SENEGAL, SEYCHELLES, SPAIN, SURINAME, TURKEY, UKRAINIAN SOVIET SOCIALIST REPUBLIC, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA, URUGUAY, YUGOSLAVIA, ZAIRE and ZAMBIA.*

### 35/49. Draft Code of Offences against the Peace and Security of Mankind

*The General Assembly,*

*Recalling* the draft Code of Offences against the Peace and Security of Mankind prepared by the International Law Commission in 1954,<sup>5</sup>

*Bearing in mind* its resolution 33/97 of 16 December 1978, by which it decided to accord priority and the

<sup>3</sup> A/35/366 and Add.1-3.

<sup>4</sup> A/35/793 and Add.1.

<sup>5</sup> *Official Records of the General Assembly, Ninth Session, Supplement No. 9 (A/2693), para. 54.*

fullest possible consideration to the item entitled "Draft Code of Offences against the Peace and Security of Mankind",

*Recalling* the belief that the elaboration of a Code of Offences against the Peace and Security of Mankind could contribute to strengthening international peace and security and thus to promoting and implementing the purposes and principles set forth in the Charter of the United Nations,

*Having considered* the report of the Secretary-General submitted pursuant to General Assembly resolution 33/97,<sup>6</sup>

*Noting* that further comments and observations on the draft Code of Offences against the Peace and Security of Mankind are yet to be submitted by Member States and relevant international intergovernmental organizations,

*Taking into account* the statements made during the debate on this item,<sup>7</sup>

1. *Requests* the Secretary-General to reiterate his invitation to Member States and relevant international intergovernmental organizations to submit or update, not later than 30 June 1981, their comments and observations on the draft Code of Offences against the Peace and Security of Mankind and, in particular, to inform him of their views on the procedure to be followed in the future consideration of that item, including the suggestion of having the item referred to the International Law Commission;

2. *Requests* the Secretary-General, on the basis of the replies submitted by Member States and relevant international intergovernmental organizations and the statements made during the debate on this item, to prepare an analytical paper in order to facilitate the further consideration of the item;

3. *Further requests* the Secretary-General to submit a report to the General Assembly at its thirty-sixth session;

4. *Decides* to include in the provisional agenda of its thirty-sixth session the item entitled "Draft Code of Offences against the Peace and Security of Mankind" and to accord it priority and the fullest possible consideration.

81st plenary meeting  
4 December 1980

### 35/50. Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations

*The General Assembly,*

*Recalling* its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations submitted by the Union of Soviet Socialist Republics,<sup>8</sup> as well as other proposals made during the consideration of this item,

*Recalling also* its resolution 32/150 of 19 December 1977, whereby it established the Special Committee on

<sup>6</sup> A/35/210 and Add.1 and 2 and Add.2/Corr.1.

<sup>7</sup> See *Official Records of the General Assembly, Thirty-fifth Session, Sixth Committee, 10th-15th and 40th meetings; and ibid., Sixth Committee, Sessional Fascicle, corrigendum.*

<sup>8</sup> *Ibid., Thirty-fourth Session, Supplement No. 41 (A/34/41 and Corr.1.), annex.*

### 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,<sup>9</sup>

*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,<sup>10</sup>

*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 Goods<sup>11</sup> and a Protocol Amending the Convention on the Limitation Period in the International Sale of Goods;<sup>12</sup>

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;<sup>13</sup>

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;<sup>14</sup>

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

<sup>11</sup> A/CONF.97/18, annex I.

<sup>12</sup> *Ibid.*, annex II.

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

<sup>14</sup> *Ibid.*, para. 143.

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

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