

date an international convention against the recruitment, use, financing and training of mercenaries;

3. *Requests* the *Ad Hoc* Committee, in the fulfilment of its mandate, to consider the suggestions and proposals of Member States, bearing in mind the views and comments submitted to the Secretary-General<sup>20</sup> and those expressed at the thirty-sixth session of the General Assembly during the debate in the Sixth Committee devoted to the consideration of the report of the *Ad Hoc* Committee;<sup>21</sup>

4. *Requests* the Secretary-General to make available to the *Ad Hoc* Committee at its next session the texts of the conventions drafted by international and regional organizations on mercenaries, as well as any other relevant documentation;

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

6. *Requests* the *Ad Hoc* Committee to submit its report to the General Assembly at its thirty-seventh session;

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

85th plenary meeting  
4 December 1981

### 36/106. Draft Code of Offences against the Peace and Security of Mankind

*The General Assembly,*

*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,

*Recalling* its resolution 177 (II) of 21 November 1947, by which it directed the International Law Commission to prepare a draft code of offences against the peace and security of mankind,

*Having considered* the draft Code of Offences against the Peace and Security of Mankind prepared by the International Law Commission and submitted to the General Assembly in 1954,<sup>22</sup>

*Recalling* its 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,

*Bearing in mind* its resolution 33/97 of 16 December 1978, by which it decided to accord priority and the fullest consideration to the item entitled "Draft Code of Offences against the Peace and Security of Mankind",

*Having considered* the report of the Secretary-General<sup>23</sup> submitted pursuant to General Assembly resolution 35/49 of 4 December 1980,

*Considering* that the International Law Commission has just accomplished an important part of its work devoted to the succession of States in respect of State property, archives

and debts and that the programme of work is thus at present lightened,

*Taking into consideration* that the membership of the International Law Commission was increased during the thirty-sixth session of the General Assembly<sup>24</sup> and that it has at its disposal a new mandate of five years to organize its future work,

*Taking into account* the views expressed during the debate on this item at the current session,

*Taking note* of paragraph 4 of General Assembly resolution 36/114 of 10 December 1981 on the report of the International Law Commission,

1. *Invites* the International Law Commission to resume its work with a view to elaborating the draft Code of Offences against the Peace and Security of Mankind and to examine it with the required priority in order to review it, taking duly into account the results achieved by the process of the progressive development of international law;

2. *Requests* the International Law Commission to consider at its thirty-fourth session the question of the draft Code of Offences against the Peace and Security of Mankind in the context of its five-year programme and to report to the General Assembly at its thirty-seventh session on the priority it deems advisable to accord to the draft Code, and the possibility of presenting a preliminary report to the Assembly at its thirty-eighth session bearing, *inter alia*, on the scope and the structure of the draft Code;

3. *Requests* the Secretary-General to reiterate his invitation to Member States and relevant international inter-governmental organizations to present or update their comments and observations on the draft Code of Offences against the Peace and Security of Mankind, and to submit a report to the General Assembly at its thirty-seventh session;

4. *Requests* the Secretary-General to submit to the International Law Commission all the necessary documentation, comments and observations presented by Member States and relevant international intergovernmental organizations on the item entitled "Draft Code of Offences against the Peace and Security of Mankind";

5. *Decides* to include in the provisional agenda of its thirty-seventh 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.

92nd plenary meeting  
10 December 1981

### 36/107. Progressive development of the principles and norms of international law relating to the new international economic order

*The General Assembly,*

*Bearing in mind* that, in accordance with the Charter of the United Nations, the General Assembly is called upon to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

*Recalling* its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

*Recalling* its resolutions 34/150 of 17 December 1979 and 35/166 of 15 December 1980, entitled "Consolidation

<sup>20</sup> See A/35/366 and Add.1-3 and A/36/438.

<sup>21</sup> *Official Records of the General Assembly, Thirty-sixth Session, Sixth Committee, 16th-23rd and 57th meetings; and ibid., Sixth Committee, Sessional Fascicle, corrigendum.*

<sup>22</sup> *Ibid., Ninth Session, Supplement No. 9 (A/2693), para. 54.*

<sup>23</sup> A/36/416.

<sup>24</sup> See sect. II, resolution 36/39.

and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order”.

*Taking note* of the report of the Secretary-General<sup>25</sup> and the study prepared by the United Nations Institute for Training and Research entitled “List of existing and evolving principles and norms of international law relating to the new international economic order concerning the economic relations among States, international organizations and other entities of public international law, and the activities of transnational corporations”<sup>26</sup> and its compendium<sup>27</sup> and of the views submitted by some States in response to General Assembly resolution 35/166,<sup>28</sup>

*Taking note*, in particular, of the recommendation that the United Nations Institute for Training and Research should complete the study by preparing the analytical study on the progressive development of the principles and norms of international law relating to the new international economic order, in accordance with paragraph 1 (b) of resolution 35/166,

*Recognizing* the need for a systematic and progressive development of the principles and norms of international law relating to the new international economic order,

1. *Takes note* of the study prepared by the United Nations Institute for Training and Research;<sup>26</sup>

2. *Requests* the United Nations Institute for Training and Research to prepare the study referred to in the fifth preambular paragraph above and to complete it in time for the Secretary-General to submit it to the General Assembly at its thirty-seventh session;

3. *Urges* Member States to submit relevant information with respect to the study not later than 31 July 1982;

4. *Requests* the United Nations Commission on International Trade Law, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the regional commissions, the United Nations Centre on Transnational Corporations and other relevant intergovernmental and non-governmental organizations active in this field, as determined by the United Nations Institute for Training and Research, to submit relevant information and to co-operate fully with the Institute in the implementation of the present resolution;

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-seventh session a report on the study made by the United Nations Institute for Training and Research for its consideration, on a priority basis, under the item entitled “Progressive development of the principles and norms of international law relating to the new international economic order” to be included in the provisional agenda of that session.

*92nd plenary meeting  
10 December 1981*

### **36/108. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law**

*The General Assembly,*

*Noting with appreciation* the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law<sup>29</sup> and the rec-

ommendations made to the Secretary-General by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, which are contained in that report,

*Considering* that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

*Noting with appreciation* the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

*Convinced*, nevertheless, that States, international organizations and institutions should be encouraged to give further support to the Programme and to increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

*Recalling* that, in the conduct of the Programme, it is desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others,

1. *Authorizes* the Secretary-General to carry out in 1982 and 1983 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships each in 1982 and 1983, at the request of Governments of developing countries;

(b) A minimum of one scholarship each in 1982 and 1983 under the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea,<sup>30</sup> to be financed by the voluntary contributions specifically made for the endowment of the Fellowship as a result of the requests set out in paragraphs 9 and 10 below;

(c) Assistance in the form of a travel grant for one participant from each developing country who will be invited to the regional courses to be organized in 1982 and 1983;

and to finance the above activities from provisions in the regular budget and also voluntary financial contributions which would be received as a result of the requests set out in paragraphs 9 and 10 below;

2. *Expresses its appreciation* to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in 1980 and 1981;

3. *Expresses its appreciation* to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme, in particular for the efforts made to support the teaching of international law;

4. *Expresses its appreciation* to the United Nations Institute for Training and Research for its participation in the Programme, particularly in the organization of regional courses and in the conduct of the fellowship programme in international law sponsored jointly by the United Nations and the Institute;

5. *Expresses its appreciation* to the Government of Egypt for providing host facilities for the regional training and refresher courses held at Cairo in 1981;

6. *Expresses its appreciation* to the Hague Academy of International Law for its valuable contributions to the Programme by enabling international law fellows under the sponsorship of the United Nations and the United Nations

<sup>25</sup> A/36/143 and Add.1 and 2.

<sup>26</sup> A/36/143, sect. II.

<sup>27</sup> UNITAR/DS/4.

<sup>28</sup> See A/36/143/Add.1 and 2.

<sup>29</sup> A/36/633.

<sup>30</sup> See sect. II, resolution 36/79.