

present—to report as promptly as possible on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and on measures adopted with a view to preventing a repetition of such violations;

8. *Requests* the Secretary-General to circulate to all States, upon receipt, the reports received by him pursuant to paragraph 7 above, unless the reporting State requests otherwise;

9. *Also requests* the Secretary-General to invite States to inform him of their views with respect to any measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives;

10. *Further requests* the Secretary-General, when a serious violation has been reported pursuant to paragraph 7 (a) above, to draw the attention, when appropriate, of the States directly concerned to the reporting procedures set forth in paragraph 7 above;

11. *Requests* the Secretary-General to submit to the General Assembly at its thirty-eighth session a report on the state of ratification of, and accessions to, the instruments referred to in paragraph 5 above, as well as the reports received and views expressed pursuant to paragraphs 7 and 9 above, and invites him to submit any views he may wish to express on these matters;

12. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled “Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives: report of the Secretary-General”.

*107th plenary meeting
16 December 1982*

37/109. Drafting of an international convention against the recruitment, use, financing and training of mercenaries

The General Assembly,

Bearing in mind the need for strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as enshrined in the Charter of the United Nations and developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,²⁸

Recalling its resolutions, particularly resolutions 2395 (XXIII) of 29 November 1968, 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970, 3103 (XXVIII) of 12 December 1973 and its resolution 1514 (XV) of 14 December 1960, as well as Security Council resolutions 405 (1977) of 14 April 1977, 419 (1977) of 24 November 1977, 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982, in which the United Nations denounced the practice of using mercenaries, in particular against developing countries and national liberation movements,

Recalling in particular its resolution 36/76 of 4 December 1981, by which it renewed the mandate of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries, composed of thirty-five Member States,

Having considered the report of the *Ad Hoc* Committee on its second session,²⁹

Recognizing that the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and seriously impede the process of self-determination of peoples struggling against colonialism, racism and *apartheid* and all forms of foreign domination,

Bearing in mind the pernicious impact that the activities of mercenaries have on international peace and security,

Considering that the progressive development and codification of the rules of international law on mercenaries would contribute immensely to the implementation of the purposes and principles of the Charter,

Taking account of the fact that, although the *Ad Hoc* Committee has made substantial progress, it has not yet fulfilled its mandate,

Reaffirming the need for the elaboration, at the earliest possible date, of an international convention against the recruitment, use, financing and training of mercenaries,

1. *Takes note* of the report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries and the progress made, especially during its second session;

2. *Decides* that the *Ad Hoc* Committee shall continue its work, with the goal of drafting, at the earliest possible 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 and those expressed at the thirty-seventh session of the General Assembly during the debate in the Sixth Committee devoted to the consideration of the report of the *Ad Hoc* Committee;³⁰

4. *Requests* the Secretary-General to make available to the *Ad Hoc* Committee at its third session any up-to-date and relevant documentation on the subject;

5. *Also 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. *Decides* that the *Ad Hoc* Committee shall hold its third session for four weeks, from 2 to 26 August 1983;

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

8. *Decides* to include in the provisional agenda of its thirty-eighth 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”.

*107th plenary meeting
16 December 1982*

37/110. Review of the multilateral treaty-making process

The General Assembly,

Bearing in mind that multilateral treaties are an important means of ensuring co-operation among States and an important primary source of international law,

Conscious, therefore, that the process of elaboration of multilateral treaties, directed towards the progressive development of international law and its codification, forms an important part of the work of the United Nations and of the international community in general,

²⁸ Resolution 2625 (XXV), annex.

²⁹ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 43 (A/37/43 and Corr. 1).*

³⁰ *Ibid.*, Thirty-seventh Session, Sixth Committee, 9th-15th, 53rd and 56th meetings.