

Recalling its resolutions 1236 (XII) of 14 December 1957, 1301 (XIII) of 10 December 1958, 2129 (XX) of 21 December 1965, 34/99 of 14 December 1979, 36/101 of 9 December 1981 and 37/117 of 16 December 1982,

*Bearing in mind* that, owing to geographic proximity and to other relevant reasons, there are particularly favourable opportunities for co-operation and mutual advantage between neighbouring countries, in many fields and various forms, and that the development of such co-operation may have a positive influence on international relations as a whole,

*Considering* that the great changes of a political, economic and social nature, as well as the scientific and technological progress which have taken place in the world and led to unprecedented interdependence of nations, have given new dimensions to good-neighbourliness in the conduct of States and increased the need to develop and strengthen it,

*Taking into account* the working paper concerning the development and strengthening of good-neighbourliness between States,<sup>2</sup> as well as the written replies sent by States and international organizations on the content of good-neighbourliness and on ways and means to enhance it<sup>3</sup> and the views expressed by States in 1981 and 1982 on this subject,<sup>4</sup>

*Recalling* its opinion that it is necessary to continue to examine the question of good-neighbourliness in order to strengthen and develop its content, as well as ways and modalities to enhance its effectiveness, and that the results of this examination could be included, at an appropriate time, in a suitable international document,

1. *Reaffirms* that good-neighbourliness fully conforms with the purposes of the United Nations and shall be founded upon the strict observance of the principles of the Charter and of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, and so presupposes the rejection of any acts seeking to establish zones of influence or domination;

2. *Calls once again upon* States, in the interest of the maintenance of international peace and security, to develop good-neighbourly relations, acting on the basis of these principles;

3. *Reaffirms* that the generalization of the long practice of good-neighbourliness and of principles and rules pertaining to it is likely to strengthen friendly relations and co-operation among States in accordance with the Charter;

4. *Deems it appropriate*, on the basis of the working paper concerning the development and strengthening of good-neighbourliness between States mentioned above, as well as of other proposals and ideas which have been or will be submitted by States, and the replies and views of States and international organizations, to start clarifying and formulating the elements of good-neighbourliness as part of a process of elaboration of a suitable international document on the subject;

5. *Requests* the Sixth Committee to decide, at the thirty-ninth session of the General Assembly, on the appropriate framework to accomplish the above-mentioned tasks;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Development and strengthening of good-neighbourliness between States".

101st plenary meeting  
19 December 1983

### 38/127. Consideration of the draft articles on most-favoured-nation clauses

*The General Assembly,*

*Recalling* its resolution 33/139 of 19 December 1978 relating to the report of the International Law Commission on the work of its thirtieth session,<sup>5</sup> in particular section II of that resolution,

*Recalling also* its resolutions 35/161 of 15 December 1980 and 36/111 of 10 December 1981, entitled "Consideration of the draft articles on most-favoured-nation clauses",

*Reaffirming its appreciation* of the high quality of the work done by the International Law Commission in elaborating a series of draft articles on most-favoured-nation clauses,

*Bearing in mind* the importance of facilitating international trade and the development of economic co-operation among all States on the basis of equality, mutual advantage and non-discrimination in the establishment of the new international economic order,

*Bearing in mind also* the complexity of codification or progressive development of international law on most-favoured-nation clauses at a time of rapid development of new forms of economic co-operation, notably those in favour of developing countries,

*Taking note* of the comments and observations submitted and of the statements made in the Sixth Committee at the thirty-fifth, thirty-sixth and thirty-eighth<sup>6</sup> sessions of the General Assembly, including the proposals for amendment of the draft articles adopted by the International Law Commission,

1. *Requests* the Secretary-General to reiterate his invitation to Member States and interested organs of the United Nations, as well as interested intergovernmental organizations, to submit or bring up to date, not later than 31 March 1985, any written comments and observations which they deem appropriate on chapter II of the report of the International Law Commission on the work of its thirtieth session, in particular on:

(a) The draft articles on most-favoured-nation clauses adopted by the International Law Commission;

(b) Those provisions relating to such clauses on which the International Law Commission was unable to take a decision;

(c) Any other aspects of problems relating to most-favoured-nation clauses that Governments may consider relevant in view of recent developments of international practice, including the recommendation of the International Law Commission on the conclusion of a convention;

2. *Also requests* the Secretary-General to invite Member States to comment on the most appropriate procedure for completing work on most-favoured-nation clauses and on the forum for future discussion, bearing in mind the suggestions and proposals made in the Sixth Committee,

<sup>2</sup> A/38/440, annex.

<sup>3</sup> See A/36/376 and Add.1, A/37/476 and A/38/336 and Add.1.

<sup>4</sup> See *Official Records of the General Assembly, Thirty-sixth Session, First Committee, 45th-51st meetings; ibid., First Committee, Sessional Fascicle, corrigendum; ibid., Thirty-seventh Session, First Committee, 46th-59th meetings; and ibid., First Committee, Sessional Fascicle, corrigendum.*

<sup>5</sup> *Ibid., Thirty-third Session, Supplement No. 10 (A/33/10).*

<sup>6</sup> *Ibid., Thirty-eighth Session, Sixth Committee, 18th, 20th-23rd, 25th and 59th meetings; and ibid., Sixth Committee, Sessional Fascicle, corrigendum.*

including the suggestion to establish a working group of the Sixth Committee after one of the existing working groups accomplishes its mandate;

3. *Further requests* the Secretary-General to submit to the General Assembly at its fortieth session a report containing the comments and observations received pursuant to paragraphs 1 and 2 above with a view to taking a final decision on the procedure to be followed;

4. *Decides* to include in the provisional agenda of its fortieth session the item entitled "Consideration of the draft articles on most-favoured-nation clauses".

*101st plenary meeting  
19 December 1983*

### **38/128. 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, 3362 (S-VII) of 16 September 1975 on development and international economic co-operation and 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

*Recalling* its resolutions 34/150 of 17 December 1979 and 35/166 of 15 December 1980, entitled "Consolidation 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", and its resolutions 36/107 of 10 December 1981 and 37/103 of 16 December 1982, entitled "Progressive development of the principles and norms of international law relating to the new international economic order",

*Taking note* of the report of the Secretary-General,<sup>7</sup> particularly of the progress report prepared by the United Nations Institute for Training and Research,<sup>8</sup> of the analytical papers and analysis of texts of relevant instruments,<sup>9</sup> prepared by the consultants and the Institute in accordance with paragraph 4 of General Assembly resolution 37/103, of the views submitted by States in response to resolution 37/103<sup>10</sup> and of the report of the Panel of Experts,<sup>11</sup>

*Taking note*, in particular, of the recommendation of the Panel of Experts that the United Nations Institute for Training and Research should complete, in 1984, the analytical study on the progressive development of the principles and norms of international law relating to the new international economic order,<sup>12</sup>

*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. *Requests* the United Nations Institute for Training and Research to continue preparing the third and final

phase of the analytical study and to complete it in time for the Secretary-General to submit it to the General Assembly at its thirty-ninth session;

2. *Also requests* the United Nations Institute for Training and Research to prepare a summary and an outline of the study in order to facilitate debate on the item;

3. *Urges* Member States to submit, not later than 31 May 1984, relevant information with respect to the study, including proposals concerning further action to be taken on the final study to be submitted to the General Assembly at its thirty-ninth session;

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 cooperate 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-ninth session a report on the final study prepared 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.

*101st plenary meeting  
19 December 1983*

### **38/129. 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>13</sup> and the recommendations 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 and 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 facili-

<sup>7</sup> A/38/366 and Corr.1 and 2 and Add.1.

<sup>8</sup> A/38/366 and Corr.1 and 2, sect. II.

<sup>9</sup> See UNITAR/DS/6.

<sup>10</sup> A/38/366/Add.1.

<sup>11</sup> A/38/366 and Corr.1 and 2, annex.

<sup>12</sup> *Ibid.*, para. 23.

<sup>13</sup> A/38/546.