

IX. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE<sup>1</sup>

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## 31/18. United Nations Conference on Succession of States in Respect of Treaties

*The General Assembly,*

Recalling that, by its resolution 3496 (XXX) of 15 December 1975, it decided to convene a conference of plenipotentiaries in 1977 to consider the draft articles on succession of States in respect of treaties, adopted by the International Law Commission at its twenty-sixth session,<sup>2</sup> and to embody the results of its work in an international convention and such other instruments as it might deem appropriate,

Recalling further that, in section II of its resolution 3315 (XXIX) of 14 December 1974, it expressed its appreciation to the International Law Commission for its valuable work on the question of succession of States in respect of treaties and to the Special Rapporteurs on the topic for their contribution to this work,

Believing that the draft articles adopted by the International Law Commission at its twenty-sixth session represent a good basis for the elaboration of an international convention and such other instruments as may

<sup>1</sup> For the decisions adopted on the reports of the Sixth Committee, see sect. X.B.7 below.

<sup>2</sup> *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 10 (A/9610/Rev.1)*, chap. II, sect. D.

be appropriate on the question of succession of States in respect of treaties,

*Taking note* of the reports of the Secretary-General<sup>3</sup> containing the comments and observations submitted by a number of Member States in accordance with General Assembly resolutions 3315 (XXIX) and 3496 (XXX),

*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,

*Believing* that the successful codification and progressive development of the rules of international law governing succession of States in respect of treaties would contribute to the development of friendly relations and co-operation among States, irrespective of their constitutional and social systems, and would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter,

*Noting* that an invitation has been extended by the Government of Austria to hold the United Nations Conference on Succession of States in Respect of Treaties at Vienna,

<sup>3</sup> A/10198 and Add.1-6, A/31/144.

1. *Decides* that the United Nations Conference on Succession of States in Respect of Treaties, referred to in General Assembly resolution 3496 (XXX), will be held from 4 April to 6 May 1977 at Vienna;

2. *Requests* the Secretary-General to invite:

(a) All States to participate in the Conference;

(b) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices, in the capacity of observers, in accordance with Assembly resolution 3237 (XXIX) of 22 November 1974;

(c) Representatives of national liberation movements recognized in its region by the Organization of African Unity, in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(d) The specialized agencies and the International Atomic Energy Agency, as well as interested organs of the United Nations and interested regional inter-governmental organizations, to be represented at the Conference by observers;

3. *Refers* to the Conference as the basic proposal for its consideration the draft articles on succession of States in respect of treaties adopted by the International Law Commission at its twenty-sixth session;

4. *Decides* that the languages of the Conference shall be those used in the General Assembly and its Main Committees;

5. *Requests* the Secretary-General to submit to the Conference all relevant documentation and recommendations relating to its methods of work and procedures and to arrange for the necessary staff, facilities and services which it will require, including the provision of summary records;

6. *Requests* the Secretary-General to arrange for the presence at the Conference, as an expert, of the International Law Commission's latest Special Rapporteur on the topic of succession of States in respect of treaties.

*77th plenary meeting  
24 November 1976*

### **31/19. Respect for human rights in armed conflicts**

*The General Assembly,*

*Conscious* that a better application of existing humanitarian rules relating to armed conflicts and the development of further rules remains an urgent task in order to reduce the suffering brought about by all such conflicts,

*Recalling* the successive resolutions adopted in the preceding years by the United Nations relating to human rights in armed conflicts and the debates on this subject,

*Noting* the report of the Secretary-General on the third session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held at Geneva from 21 April to 11 June 1976, and on the second session of the Conference of Government Experts on the Use of Certain Conventional Weapons, con-

voked by the International Committee of the Red Cross at Lugano from 28 January to 26 February 1976,<sup>4</sup>

*Welcoming* the substantial progress made at the third session of the Diplomatic Conference and the work of the Conference of Government Experts,

*Noting* that the Diplomatic Conference will continue its consideration of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects, and its search for agreement, for humanitarian reasons, on possible rules prohibiting or restricting the use of such weapons,

1. *Calls upon* all parties to armed conflicts to acknowledge and to comply with their obligations under the humanitarian instruments and to observe the international humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907,<sup>5</sup> the Geneva Protocol of 1925<sup>6</sup> and the Geneva Conventions of 1949;<sup>7</sup>

2. *Calls* the attention of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, and of the Governments and organizations participating in it, to the need for measures to promote on a universal basis the dissemination of and instruction in the rules of international humanitarian law applicable in armed conflicts;

3. *Urges* all participants in the Diplomatic Conference to do their utmost to reach agreement on additional rules which may help to alleviate the suffering brought about by armed conflicts and to respect and protect non-combatants and civilian objects in such conflicts, and to bring the Conference during its final session in 1977 to a successful conclusion;

4. *Expresses its appreciation* to the Swiss Federal Council for convoking the fourth session of the Diplomatic Conference from 17 March to 10 June 1977;

5. *Requests* the Secretary-General to report to the General Assembly at its thirty-second session on relevant developments concerning human rights in armed conflicts, in particular on the proceedings and results of the 1977 session of the Diplomatic Conference;

6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Respect for human rights in armed conflicts".

*77th plenary meeting  
24 November 1976*

### **31/28. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization**

*The General Assembly,*

*Recalling* its resolutions 992 (X) of 21 November 1955, 2285 (XXII) of 5 December 1967, 2552 (XXIV) of 12 December 1969, 2697 (XXV) of 11 Decem-

<sup>4</sup> A/31/163 and Add.1.

<sup>5</sup> Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

<sup>6</sup> League of Nations, *Treaty Series*, vol. XCIV, No. 2138, p. 65.

<sup>7</sup> United Nations. *Treaty Series*, vol. 75, Nos. 970-973.