

number of votes and not less than a majority of the votes of the Members present and voting shall be elected'';

3. *Decides further* that the thirty-four members of the International Law Commission shall be elected according to the following pattern:

- (a) Eight nationals from African States;
- (b) Seven nationals from Asian States;
- (c) Three nationals from Eastern European States;
- (d) Six nationals from Latin American States;
- (e) Eight nationals from Western European or other States;
- (f) One national from African States or Eastern European States in rotation, with the seat being allocated to a national of an African State in the first election held after the adoption of the present resolution;
- (g) One national from Asian States or Latin American States in rotation, with the seat being allocated to a national of an Asian State in the first election held after the adoption of the present resolution;

4. *Decides*, by way of exception and in consequence of the enlargement of the Commission, to request the Secretary-General to include in the list of candidates for the election to be held at the current session, in addition to the nominations already received, such names as shall have been communicated to him in writing before 21 November 1981.

*63rd plenary meeting
18 November 1981*

36/64. Return or restitution of cultural property to the countries of origin

The General Assembly,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/18 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979 and 35/127 and 35/128 of 11 December 1980,

Recalling also the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,²⁶ adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Emphasizing that the cultural heritage of a people conditions the present and future flowering of its artistic values and its over-all development,

Taking note with satisfaction of the report submitted by the Secretary-General in co-operation with the Director-General of the United Nations Educational, Scientific and Cultural Organization,²⁷

Aware of the importance attached by the countries of origin to the return of cultural property which is of fundamental spiritual and cultural value to them, so that they may constitute collections representative of their cultural heritage,

Noting with satisfaction that the countries of origin have already reinforced the steps they have taken for the organization and maintenance of their museums, in order to accommodate their cultural treasures, and for the classification, restoration and conservation of their *objets d'art* with national experts of international repute,

Noting also with satisfaction that some countries have taken positive steps for the return or restitution of museum pieces, archives and *objets d'art* to their countries of origin,

Deeply concerned at the persistence of the illicit traffic in cultural property, which continues to impoverish the cultural heritage of all peoples,

1. *Renews* its support for the solemn appeal launched on 7 June 1978 by the Director-General of the United Nations Educational, Scientific and Cultural Organization for the return to those who created it of an irreplaceable cultural heritage;

2. *Reaffirms* that the restitution to a country of its *objets d'art*, monuments, museum pieces, archives, manuscripts, documents and any other cultural or artistic treasures contributes to the strengthening of international co-operation and to the preservation and flowering of universal cultural values through fruitful co-operation between developed and developing countries;

3. *Commends* the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation on the work they have accomplished, particularly through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property, the development of infrastructures for the protection of movable cultural property, the reduction of illicit traffic in cultural property and the dissemination of information to the public;

4. *Requests* the United Nations Educational, Scientific and Cultural Organization to intensify its efforts to help the countries concerned to find suitable solutions to the problem relating to the return or restitution of cultural property and urges Member States to co-operate with that organization in this area;

5. *Invites* Member States to take adequate measures to prohibit and prevent the illicit import, export and transfer of ownership of cultural property, and to put an end to the illicit trafficking in priceless *objets d'art* and museum pieces by all necessary measures within each country's jurisdiction with the full co-operation of the courts and customs authorities;

6. *Also invites* Member States to draw up, in co-operation with the United Nations Educational, Scientific and Cultural Organization, systematic inventories of cultural property existing in their territories and of their cultural property abroad;

7. *Appeals* to museums and public and private collectors to return totally or partially, or make available to the countries of origin, particularly the items kept in the storehouses of such museums, and to help the countries of origin, with the co-operation of the United Nations Educational, Scientific and Cultural Organization, in their endeavours to prepare an inventory of those collections;

8. *Reminds* Member States of the need to strengthen museum infrastructures, in particular conservation techniques, museographic facilities and procedures adapted to local conditions and the training of qualified personnel;

9. *Calls upon* the United Nations Development Programme to continue to assist the development of national capacity in respect of museum infrastructures and invites Member States as well as national agencies and regional organizations to strengthen their technical co-operation in this area;

10. *Appeals* to Member States to co-operate closely with the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation and to conclude bilateral agreements for this purpose;

²⁶ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Sixteenth Session*, vol. I, *Resolutions*, pp. 135-141.

²⁷ A/36/651.

11. *Also appeals* to Member States to encourage the mass information media and educational and cultural institutions to strive to arouse a greater and more general awareness with regard to the return or restitution of cultural property to the countries of origin;

12. *Urges* all Governments to reproduce the reports and studies made by archaeologists and explorers from the developed countries, especially if those studies are out of print, and to make them available to the countries of origin;

13. *Invites once again* Member States to sign and ratify the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;

14. *Requests* the Secretary-General, in co-operation with the United Nations Educational, Scientific and Cultural Organization, to take the necessary measures to alert and mobilize international public opinion in favour of the return or restitution of cultural property to the countries of origin, in particular by mobilizing the United Nations information media for this purpose;

15. *Further requests* the Secretary-General, in co-operation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its thirty-eighth session a report on the implementation of the present resolution;

16. *Reiterates its desire* that the second World Conference on Cultural Policies, to be held in 1982, should devote considerable attention to the question of return or restitution of cultural property with a view to improving international cultural co-operation;

17. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "Return or restitution of cultural property to the countries of origin".

*74th plenary meeting
27 November 1981*

36/67. International Year of Peace and International Day of Peace

The General Assembly,

Recalling that the promotion of peace, both at an international and a national level, is among the main purposes of the United Nations, in conformity with its Charter,

Reaffirming that, as set forth in the preamble of the Constitution of the United Nations Educational, Scientific and Cultural Organization, since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed, that a peace based exclusively upon the political and economic arrangements of Governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind,

Further recalling that, on the basis of similar considerations, the General Assembly established the United Nations University in 1972²⁸ and, more specifically, the University for Peace in 1980,²⁹ and entrusted other organs and organizations of the United Nations system with the promotion of peace, mainly through education in all its aspects,

Noting with appreciation the initiative taken by the International Association of University Presidents at its Sixth Triennial Conference, held at San José from 28 June to 3

July 1981, to propose the Declaration of a Peace Year, a Peace Month and a Peace Day,³⁰

Acknowledging the conclusions of the Conference that it would be appropriate to devote a specific time to concentrate the efforts of the United Nations and its Member States, as well as of the whole of mankind, to promoting the ideals of peace and to giving positive evidence of their commitment to peace in all viable ways,

Considering that, through the declaration and proper celebration of an International Year of Peace and an International Day of Peace, it would be possible to contribute to strengthening such ideals of peace and alleviating the tensions and causes of conflict, both within and among nations and peoples,

1. *Invites* the Economic and Social Council to consider, at its first regular session of 1982, the possibility of declaring an International Year of Peace at the first practicable opportunity, taking into account the urgency and special nature of such an observance as well as the guidelines for international years and anniversaries adopted by the General Assembly in its decision 35/424 of 5 December 1980, and to submit its recommendations to the Assembly at its thirty-seventh session on the basis of appropriate arrangements for the timing, organization and financing of the Year;

2. *Declares* that the third Tuesday of September, the opening day of the regular sessions of the General Assembly, shall be officially proclaimed and observed as International Day of Peace and shall be devoted to commemorating and strengthening the ideals of peace both within and among all nations and peoples;

3. *Invites* all Member States, organs and organizations of the United Nations system, regional organizations, non-governmental organizations, peoples and individuals to commemorate in an appropriate manner the International Day of Peace, especially through all means of education, and to co-operate with the United Nations in the observance of that Day.

*77th plenary meeting
30 November 1981*

36/68. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,³¹

Recalling its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration,

Recalling all its previous resolutions concerning the implementation of the Declaration, in particular resolution 35/119 of 11 December 1980, as well as the relevant resolutions of the Security Council,

Recalling, in particular, its resolution ES-8/2 of 14 September 1981 concerning the question of Namibia and taking

²⁸ Resolution 2951 (XXVII).

²⁹ Resolution 35/55.

³⁰ See *Official Records of the General Assembly, Thirty-sixth Session, Annexes*, agenda item 133, document A/36/197, annex.

³¹ *Ibid.*, *Thirty-sixth Session, Supplement No. 23 (A/36/23/Rev.1)*.