

between International Organizations, as well as upon the question of participation in the Conference,

Having received the report of the Secretary-General,³³ which contains comments and observations submitted by States and principal international intergovernmental organizations, in accordance with General Assembly resolution 38/139,

Recognizing the importance of achieving a successful conclusion of the work of the Conference through the promotion of general agreement,

Bearing in mind the relationship between the law of treaties between States and the subject-matter to be dealt with by the Conference,

Noting with appreciation that an invitation has been extended by the Government of Austria to hold the Conference at Vienna,

1. *Decides* that the United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations shall be held at Vienna from 18 February to 21 March 1986;

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

(a) All States to participate in the Conference;

(b) Namibia, represented by the United Nations Council for Namibia, to participate in the Conference, in accordance with paragraph 6 of General Assembly resolution 37/233 C of 20 December 1982;

(c) 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 to participate in the Conference in that capacity, in accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976;

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

(e) Representatives of international intergovernmental organizations that have traditionally been invited to participate as observers at legal codification conferences convened under the auspices of the United Nations to participate in the Conference in a capacity to be considered during the consultations referred to in paragraph 8 below and to be decided upon by the General Assembly at its fortieth session;

3. *Invites* the participants referred to in paragraph 2 above to include as far as possible among their representatives experts competent in the field to be considered;

4. *Decides* that the languages of the Conference shall be the official and working languages of the General Assembly, its committees and its sub-committees;

5. *Refers* to the Conference, as the basic proposal for its consideration, the draft articles on the law of treaties between States and international organizations or between international organizations adopted by the International Law Commission at its thirty-fourth session;

6. *Requests* the Secretary-General to submit to the Conference all relevant documentation and recommendations relating to the rules of procedure and methods of work, taking into account the importance of promoting general agreement on the final results of the work of the

Conference, and to arrange for the necessary staff, facilities and services which it will require, including the provision of summary records;

7. *Also requests* the Secretary-General to arrange for the presence at the Conference, as an expert, of the International Law Commission's Special Rapporteur on the question of treaties concluded between States and international organizations or between two or more international organizations;

8. *Appeals* to participants in the Conference to organize consultations, primarily on the organization and methods of work of the Conference, including rules of procedure, and on major issues of substance, including final clauses and settlement of disputes, prior to the convening of the Conference in order to facilitate a successful conclusion of its work through the promotion of general agreement;

9. *Decides* to include in the provisional agenda of its fortieth session an item entitled "Preparation for the United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations."

99th plenary meeting
13 December 1984

39/87. Report of the Committee on Relations with the Host Country

The General Assembly.

Having considered the report of the Committee on Relations with the Host Country,³⁴

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations³⁵ and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,³⁶

Recalling further that the problems related to the privileges and immunities of all missions accredited to the United Nations, the security of the missions and the safety of their personnel are of great importance and concern to Member States, as well as the primary responsibility of the host country,

Noting with deep concern the continued acts violating the security and the safety of the personnel of those missions accredited to the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations of the Committee on Relations with the Host Country contained in paragraph 58 of its report;³⁴

2. *Strongly condemns* any terrorist and criminal acts violating the security of missions accredited to the United Nations and the safety of their personnel;

3. *Urges* the host country to continue to take all necessary measures to ensure effectively the protection, security and safety of the missions accredited to the United Nations and their personnel, including practicable measures to prohibit illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts and activities against the security and safety of such missions and representatives;

³³ A/39/491.

³⁴ Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 26 (A/39/26 and Corr.1)

³⁵ Resolution 22 A (II)

³⁶ Resolution 169 (II).

4. *Reiterates* that adherence of all Member States to the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations and to other relevant agreements is an indispensable condition for the normal functioning of the Organization and permanent missions in New York and underlines the necessity for avoiding any action not consistent with obligations in accordance with the Agreement and international law;

5. *Calls upon* all countries, especially the host country, to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and all missions accredited to it in the strengthening of international peace and security;

6. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country and to continue to stress the importance of effective measures to avoid acts of terrorism and violence against the missions and their personnel;

7. *Requests* the Committee on Relations with the Host Country to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

8. *Decides* to include in the provisional agenda of its fortieth session the item entitled "Report of the Committee on Relations with the Host Country".

*99th plenary meeting
13 December 1984*

39/88. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

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The General Assembly,

Reaffirming its support for the purposes and principles set forth in the Charter of the United Nations,

Recalling its resolutions 686 (VII) of 5 December 1952, 992 (X) of 21 November 1955, 2285 (XXII) of 5 December 1967, 2552 (XXIV) of 12 December 1969, 2697 (XXV) of 11 December 1970, 2968 (XXVII) of 14 December 1972 and 3349 (XXIX) of 17 December 1974,

Recalling also its resolutions 2925 (XXVII) of 27 November 1972, 3073 (XXVIII) of 30 November 1973 and 3282 (XXIX) of 12 December 1974 on the strengthening of the role of the United Nations,

Recalling especially its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its resolutions 31/28 of 29 November 1976, 32/45 of 8 December 1977, 33/94 of 16 December 1978, 34/147 of 17 December 1979, 35/164 of 15 December 1980, 36/122 of 11 December 1981, 37/114 of 16 December 1982 and 38/141 of 19 December 1983,

Taking note of the reports of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh³⁷ and thirty-ninth³⁸ sessions as well as of the views and comments expressed on them by Member States,

Having considered the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of the session it held in 1984,³⁹

Taking into account the elaboration by the Special Committee of the outline for a handbook on the peaceful settlement of disputes between States and the conclusions thereon,⁴⁰

Noting the importance that pre-session consultations among the members of the Special Committee and other interested States may have in facilitating the fulfilment of its task,

Conscious of the fact that the year 1985 marks the fortieth anniversary of the United Nations,

Considering that the Special Committee has not yet fulfilled the mandate entrusted to it,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;

2. *Decides* that the Special Committee shall convene its next session from 4 to 29 March 1985;

3. *Requests* the Special Committee at its session in 1985:

(a) To accord priority by devoting more time to the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations, in particular the Security Council, and to enable it to discharge fully its responsibilities under the Charter in this field; this necessitates the examination, *inter alia*, of the prevention and removal of threats to the peace and of situations which may lead to international friction or give rise to a dispute; the Special Committee will work on all questions with the aim of submitting its conclusions to the General Assembly, in accordance with paragraph 5 below, for the adoption of such recommendations as the Assembly deems appropriate; in doing so, the Special Committee should continue its work on the working paper on the prevention and removal of threats to the peace and of situations which may lead to international friction or give rise to a dispute⁴¹ or any revision thereof, as well as other proposals which might be made;

(b) To continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(i) To continue consideration of the proposal contained in the working papers on the establishment of a commission on good offices, mediation and conciliation;⁴²

(ii) To examine the report of the Secretary-General on the progress of work on the draft handbook on the peaceful settlement of disputes between States;

4. *Requests* the Special Committee to keep the question of the rationalization of the procedures of the United Nations under review and to revert to its work on this topic when it deems appropriate;

5. *Also requests* the Special Committee to be mindful of the importance of reaching general agreement whenever that has significance for the outcome of its work;

6. *Urges* members of the Special Committee to participate fully in its work in fulfilment of the mandate entrusted to it;

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

³⁸ *Ibid.*, *Thirty-ninth Session, Supplement No. 1 (A/39/1).*

³⁹ *Ibid.*, *Supplement No. 33 (A/39/33).*

⁴⁰ *Ibid.*, chap. III, sect. B.

⁴¹ *Ibid.*, *Supplement No. 33 (A/39/33)*, para. 20.

⁴² A/38/343, annex. A/C.6/39/L.2.