

- (i) The planning of its activities for the term of office of its members, bearing in mind the desirability of achieving as much progress as possible in the preparation of draft articles on specific topics;
  - (ii) Its methods of work in all their aspects, bearing in mind the possibility of staggering the consideration of some topics;
- (b) To indicate in its annual report those subjects and issues on which views expressed by Governments, either in the Sixth Committee or in written form, would be of particular interest for the continuation of its work;

6. *Takes note* of the comments of the International Law Commission on the question of the duration of its sessions, as presented in paragraph 252 of its report, and expresses the view that the requirements of the work of codification and progressive development of international law and the magnitude and complexity of the subjects on the agenda of the Commission make it desirable that the usual duration of its sessions<sup>34</sup> be maintained;

7. *Reaffirms* its previous decisions concerning the increased role of the Codification Division of the Office of Legal Affairs of the Secretariat and those concerning the summary records and other documentation of the International Law Commission;

8. *Urges* Governments and, as appropriate, international organizations to respond in writing as fully and expeditiously as possible to the requests of the International Law Commission for comments, observations and replies to questionnaires and for materials on topics in its programme of work;

9. *Further urges* Governments to give full attention to the request of the International Law Commission, transmitted through the Secretary-General, for comments and observations on the draft articles on jurisdictional immunities of States and their property<sup>35</sup> and on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier,<sup>36</sup> adopted on first reading by the Commission;

10. *Reaffirms its wish* that the International Law Commission continue to enhance its co-operation with inter-governmental legal bodies whose work is of interest for the progressive development of international law and its codification;

11. *Expresses the wish* that seminars will continue to be held in conjunction with sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars, and appeals to States that can do so to make the voluntary contributions that are urgently needed for the holding of the seminars;

12. *Requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the forty-first session of the General Assembly<sup>37</sup> and to prepare and distribute a topical summary of the debate.

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3 December 1986*

#### 41/82. 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,<sup>38</sup>

*Recalling* Article 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,<sup>39</sup>

*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,

*Considering* the issues raised by certain States Members of the United Nations in response to the request and to action by the host country to reduce the size of their missions,

*Conscious* of the increased interest shown by Member States in participating in the work of the Committee,

1. *Endorses* the recommendations of the Committee on Relations with the Host Country contained in paragraph 87 of its report;<sup>38</sup>

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

3. *Urges* the host country to take all necessary measures without delay to continue to prevent criminal acts, including harassment and violations of the security of missions and the safety of their personnel or infringements of the inviolability of their property, in order to ensure the existence and functioning of all missions, 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;

4. *Urges* the host country and the Member States that raised the issues in response to the request and to action by the host country to reduce the size of their missions to follow the path of consultations with a view to reaching solutions to this matter, in accordance with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations;<sup>40</sup>

5. *Stresses* the importance of a positive perception of the work of the United Nations, expresses concern about a negative public image and, therefore, urges that efforts be continued to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and the missions accredited to it in the strengthening of international peace and security;

<sup>34</sup> See resolution 3315 (XXIX), para. 5.

<sup>35</sup> See *Official Records of the General Assembly, Forty-first Session, Supplement No. 10 (A/41/10)*, chap. II, sect. D.

<sup>36</sup> *Ibid.*, chap. III, sect. D.

<sup>37</sup> *Ibid.*, *Forty-first Session, Sixth Committee*, 27th to 34th, 36th to 44th and 51st meetings and corrigendum.

<sup>38</sup> *Ibid.*, *Forty-first Session, Supplement No. 26 (A/41/26)*.

<sup>39</sup> Resolution 22 A (I).

<sup>40</sup> Resolution 169 (II).

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, violence and harassment against the missions and their personnel, as well as the need for any pertinent legislation adopted by the host country to be in accord with the Agreement and its other relevant obligations;

7. *Decides* to consider at its forty-second session the question of the composition of the Committee on Relations with the Host Country;

8. *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;

9. *Decides* to include in the provisional agenda of its forty-second session the item entitled "Report of the Committee on Relations with the Host Country".

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3 December 1986

#### 41/83. 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 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 relevant resolutions adopted at subsequent sessions,<sup>41</sup>

*Taking note* of the reports of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh,<sup>42</sup> thirty-ninth,<sup>43</sup> fortieth<sup>44</sup> and forty-first<sup>45</sup> 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 1986,<sup>46</sup>

*Concerned* that the Special Committee, since its establishment, has not yet submitted any conclusions to the General Assembly on the question of the maintenance of international peace and security,

*Taking into account* the work accomplished by the Special Committee on the basis of the working paper<sup>47</sup> on the question of the prevention and removal of threats to the peace and of situations that may lead to international friction or give rise to a dispute,

*Taking note* of the progress achieved in the preparation of a draft handbook on the peaceful settlement of disputes between States,<sup>48</sup>

*Recognizing* the importance that pre-session consultations among the members of the Special Committee and other interested States may have in facilitating the smooth

conduct of the work of the Special Committee towards the fulfilment of its task, especially as regards the composition of the Bureau and the organization of work,

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 hold its next session from 9 to 27 February 1987;

3. *Requests* the Special Committee at its session in 1987:

(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, and to work with the aim of submitting its conclusions to the General Assembly in accordance with paragraph 5 below, and in doing so:

(i) To concentrate its efforts on the question of the prevention and removal of threats to peace and of situations that may lead to international friction or give rise to a dispute, on the basis of the working paper<sup>47</sup> and on any other proposals specific to this question, with a view to completing its consideration thereof and elaborating appropriate conclusions thereon for submission to the General Assembly as soon as possible;

(ii) To continue its consideration of the proposal contained in the working paper<sup>48</sup> on the role of Member States and of the United Nations in the maintenance of international peace and security;

(b) To continue its work on the question of the peaceful settlement of disputes between States in accordance with paragraph 3 of General Assembly resolution 41/74 of 3 December 1986;

4. *Requests* the Special Committee to keep the question of the rationalization of the procedures of the United Nations under active review;

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;

7. *Decides* that the Special Committee shall accept the participation of observers of Member States, including in the meetings of its working groups;

8. *Requests* the Secretary-General to render all assistance to the Special Committee;

9. *Requests* the Secretary-General to continue the preparation of a draft handbook on the peaceful settlement of disputes between States, in accordance with paragraph 4 of General Assembly resolution 41/74;

10. *Requests* the Special Committee to submit a report on its work to the General Assembly at its forty-second session;

11. *Decides* to include in the provisional agenda of its forty-second session the item entitled "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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<sup>41</sup> 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, 38/141 of 19 December 1983, 39/88 of 13 December 1984 and 40/78 of 11 December 1985.

<sup>42</sup> *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1).*

<sup>43</sup> *Ibid.*, *Thirty-ninth Session, Supplement No. 1 (A/39/1).*

<sup>44</sup> *Ibid.*, *Fortieth Session, Supplement No. 1 (A/40/1).*

<sup>45</sup> *Ibid.*, *Forty-first Session, Supplement No. 1 (A/41/1).*

<sup>46</sup> *Ibid.*, *Supplement No. 33 (A/41/33).*

<sup>47</sup> A/AC.182/L.38/Rev.2

<sup>48</sup> A/AC.182/L.48