

# **United Nations Conference on Succession of States in Respect of Treaties**

Vienna, Austria  
4 April – 6 May 1977  
31 July – 23 August 1978

Documents:-

**A/CONF.80/L.1 and Add. 1 and 2, A/CONF.80/L.2 to L.4**

**Draft resolutions submitted to the Conference in plenary meeting**

Extract from Volume III of the *Official Records of the United Nations Conference on Succession of States in Respect of Treaties (Documents of the Conference)*

## G. DRAFT RESOLUTIONS SUBMITTED TO THE CONFERENCE IN PLENARY MEETING

### 1

DOCUMENT A/CONF.80/L.1 AND ADD.1 AND 2\*

Algeria, Angola, Burundi, Cuba, Cyprus, Democratic Yemen, Egypt, Ethiopia, Ghana, Guyana, India, Indonesia, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Niger, Nigeria, Pakistan, Qatar, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yugoslavia, United Nations Council for Namibia: draft resolution

[Original: English]

[15 August 1978]

*The United Nations Conference on Succession of States in Respect of Treaties,*

Taking note of the statement made by the Chairman of the delegation of the United Nations Council for Namibia during the resumed session of the Conference;<sup>1</sup>

Taking into account United Nations General Assembly resolution 2145 (XXI) of 27 October 1966, by which the General Assembly decided to terminate the Mandate of South Africa over Namibia and by which the United Nations assumed direct responsibility for the Territory until independence, and General Assembly resolution 2248 (S-V) of 19 May 1967, by which the United Nations Council for Namibia was established and entrusted with the responsibility of administering the Territory until independence;

Recalling the advisory opinion of the International Court of Justice of 21 June 1971 which declared that the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from the Territory and thus put an end to its illegal occupation of the Territory;

Further recalling the relevant resolutions of the United Nations, in particular Security Council resolutions 385 (1976) which reaffirmed the territorial integrity and unity

of Namibia and 432 (1978) which took note of paragraph 7 of General Assembly resolution 32/9 D (1977) declaring that Walvis Bay is an integral part of Namibia;

Resolves that the relevant articles of the Convention shall be interpreted, in the case of Namibia, in conformity with United Nations resolutions on the question of Namibia;

Further resolves that South Africa is not the predecessor State of the future independent State of Namibia.

### 2

DOCUMENT A/CONF.80/L.2

Austria: draft resolution

[Original: English]

[21 August 1978]

TRIBUTE TO THE SPECIAL RAPPORTEURS  
AND THE EXPERT CONSULTANT

*The United Nations Conference on Succession of States in Respect of Treaties,*

Having adopted the Vienna Convention on Succession of States in Respect of Treaties on the basis of the draft articles prepared by the International Law Commission,

Resolves to express to Sir Humphrey Waldock, Special Rapporteur of the International Law Commission, and to Sir Francis Vallat, Special Rapporteur of the International Law Commission and Expert Consultant to the Conference, its deep appreciation of the invaluable contribution they have made to the codification and progressive development of the rules of international law on succession of States in respect of treaties.

### 3

DOCUMENT A/CONF.80/L.3

Czechoslovakia, Iraq, Mexico, Niger, United Kingdom of Great Britain and Northern Ireland:\* draft resolution

[Original: English]

[21 August 1978]

TRIBUTE TO THE INTERNATIONAL LAW COMMISSION

*The United Nations Conference on Succession of States in Respect of Treaties,*

\* On behalf of the members of their respective regional groups.

\* Incorporating document A/CONF.80/L.1/Add.1/Corr.1. Documents A/CONF.80/L.1/Add.1 of 17 August 1978 and A/CONF.80/L.1/Add.1/Corr.1 were issued to add Cyprus, Indonesia, Iraq, Qatar, Saudi Arabia, Sri Lanka, Trinidad and Tobago, Tunisia and United Arab Emirates to the list of sponsors. Document A/CONF.80/L.1/Add.2 of 21 August 1978 was issued to add Malaysia to that list.

<sup>1</sup> See *Official Records of the United Nations Conference on Succession of States in Respect of Treaties*, vol. II, *Summary records of the plenary meetings and of the meetings of the Committee of the Whole* (United Nations publication, Sales No. E.79.V.10), pp. 41-42, 38th meeting, paras. 62-70.

*Having adopted* the Vienna Convention on Succession of States in Respect of Treaties on the basis of the draft articles prepared by the International Law Commission,

*Resolves* to express its deep gratitude to the International Law Commission for its outstanding contribution to the codification and progressive development of the law of succession of States in respect of treaties.

## 4

## DOCUMENT A/CONF.80/L.4

Czechoslovakia, Iraq, Mexico, Niger, United Kingdom of Great Britain and Northern Ireland:\* draft resolution

[Original: English]  
[21 August 1978]

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\* On behalf of the members of their respective regional groups.

TRIBUTE TO THE PEOPLE AND TO THE FEDERAL  
GOVERNMENT OF AUSTRIA

*The United Nations Conference on Succession of States in Respect of Treaties,*

*Having adopted* the Vienna Convention on Succession of States in Respect of Treaties,

*Expresses its deep appreciation and gratitude* to the people and the Federal Government of Austria for having made possible the holding of the Conference in Vienna and for their continued and most generous hospitality which contributed greatly to the successful completion of the work of the Conference.