

GENERAL ASSEMBLY RESOLUTION 42/22
DECLARATION ON THE ENHANCEMENT OF THE EFFECTIVENESS OF
THE PRINCIPLE OF REFRAINING FROM THE THREAT OR USE OF FORCE
IN INTERNATIONAL RELATIONS

On 28 September 1976, the Union of Soviet Socialist Republics requested, by letter to the Secretary-General, that the item entitled “Conclusion of a world treaty on the non-use of force in international relations” be included in the provisional agenda of the thirty-first session of the General Assembly, and attached a draft treaty with provisions to this effect (A/31/243). On 4 October 1976, the General Assembly decided to include the item on the agenda of its thirty-first session and allocated it to the First Committee of the General Assembly, on the understanding that it would refer the matter, at the appropriate stage, to the Sixth Committee for examination of its legal implications (A/31/PV.16).

On 25 October 1976, the Union of Soviet Socialist Republics submitted a draft resolution (A/C.1/31/L.3) to the First Committee on the conclusion of a world treaty on the non-use of force in international relations; the draft resolution was adopted four days later by the Committee (A/31/305). On the recommendation of the First Committee, the General Assembly adopted resolution 31/9 of 8 November 1976 by which it took note of the draft world treaty and invited Member States to examine it further, alongside other proposals and statements made during the consideration of the matter in the Committee. By resolution 31/9, the General Assembly also requested Member States to communicate to the Secretary-General their views and suggestions on the matter no later than 1 June 1977 and requested the Secretary-General to report to the Assembly at its thirty-second session on the communications received under an item of its agenda entitled “Conclusion of a world treaty on the non-use of force in international relations”.

At the thirty-second session of the General Assembly, in 1977, the item was allocated to the Sixth Committee. The Committee had before it the report of the Secretary-General submitted in accordance with General Assembly resolution 31/9 (A/32/181 and A/32/181/Add.1), as well as a draft resolution (A/C.6/32/L.18) submitted by the Union of Soviet Socialist Republics by which, as revised (A/C.6/32/L.18/Rev.1), it proposed to establish a Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations with a mandate to consider proposals and suggestions submitted by any State for the purpose of drafting a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Special Committee deemed appropriate. On 12 December 1977, the Sixth Committee adopted the revised draft resolution and recommended that the General Assembly adopt its proposal (A/32/466). On 19 December 1977, the General Assembly adopted resolution 32/150 by which it accordingly decided to establish a Special Committee, composed of thirty-five Member States, to consider proposals and suggestions submitted by any State, with the goal of drafting a treaty on this topic, and decided to include in the provisional agenda of its thirty-third session an item entitled “Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations”.

At the first session of the Special Committee, in 1978, the Union of Soviet Socialist Republics introduced the draft world treaty on the non-use of force in international relations. The draft treaty served as the basis for a preliminary discussion in the Special Committee. The Special Committee decided to establish an open-ended Working Group whose mandate would be the same as that entrusted to the Special

Committee itself (Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations, A/33/41). At the thirty-third session of the General Assembly, following the recommendation of the Sixth Committee (A/33/418), the Assembly adopted resolution 33/96 of 16 December 1978 by which, taking note of the report of the Special Committee, it decided, *inter alia*, that the Special Committee should continue its work and invited Member States to submit comments in accordance with resolution 31/9.

At its second session, in 1979, the Special Committee continued its consideration of the matter on the basis of comments received from Member States in accordance with General Assembly resolution 33/96 (A/AC.193/1), and a working paper submitted by five Western European States. The Working Group submitted its report to the Special Committee (A/34/41). At the thirty-fourth session of the General Assembly, in 1979, the Sixth Committee considered the report of the Special Committee and the report of the Secretary-General received in accordance with resolution 31/9 containing observations from Member States (A/34/410). Following the recommendation of the Sixth Committee (A/34/642), the General Assembly adopted resolution 34/13 of 9 November 1979 by which, taking note of the report of the Special Committee, it decided, *inter alia*, that the Committee should continue its work and invited Member States to submit comments in accordance with resolution 31/9.

At its third session, in 1980, the Special Committee continued its consideration of the matter on the basis of comments received from Member States in accordance with General Assembly resolution 34/13 (A/AC.193/2 and Corr.1) as well as a working paper submitted by ten of the non-aligned countries (A/35/41). At the thirty-fifth session of the General Assembly, in 1980, following a recommendation of the Sixth Committee (A/35/623), the Assembly adopted resolution 35/50 of 4 December 1980 by which, taking note of the report of the Special Committee and the fact that the Committee was unable to consider in detail the new proposals submitted to it during its last session, it decided, *inter alia*, that the Special Committee should continue its work with a view to ensuring a successful completion of its mandate. By the same resolution, the General Assembly also reiterated its invitation to Member States to submit comments in accordance with resolution 31/9.

At its fourth session, in 1981, the Special Committee continued its consideration of the matter on the basis of the comments and suggestions submitted by Member States in accordance with General Assembly resolution 35/50 (A/AC.193/3 and Add.1-3), affording particular attention to the working papers introduced at its 1979 and 1980 sessions, as well as a revised version of the working paper introduced in 1980 (A/36/41). At the thirty-sixth session of the General Assembly, following the recommendation of its Sixth Committee (A/36/649), the Assembly adopted resolution 36/31 of 13 November 1981 by which, taking note of the report of the Special Committee, it decided, *inter alia*, that the Committee should continue to work towards a successful completion of its mandate and reiterated the invitation to Member States to submit comments in accordance with resolution 31/9.

At its fifth session, in 1982, the Special Committee continued its discussions of the matter on the basis of comments received by Member States in accordance with General Assembly resolution 36/31 (A/AC.193/4 and Add.1-3, Add.3/Corr.1 and Add.4) and an informal working paper submitted by its Chairman. This working paper introduced for further consideration among delegations the main elements of the principle of the non-use of force in international relations: manifestations, scope and dimensions of the threat or use of force; general prohibition of the threat or use of force; consequences of the threat or

use of force; legitimate use of force; peaceful settlement of disputes; role of the United Nations; and disarmament and confidence-building measures (A/37/41). At the thirty-seventh session of the General Assembly, following the recommendation of its Sixth Committee (A/37/721), the Assembly adopted resolution 37/105 of 16 December 1982, by which it took note, *inter alia*, of the report of the Special Committee and a statement made by the Chairman of the Special Committee at its session in 1982. The General Assembly requested the Special Committee to begin at its forthcoming session the elaboration of the formulas contained in the informal working paper, taking into account the proposals submitted to it and, in particular, the efforts undertaken at its 1982 session. Finally, the General Assembly reiterated the invitation to Member States to submit comments in accordance with resolution 31/9.

At its sixth session, in 1983, the Special Committee continued its consideration of the matter on the basis of the comments and suggestions received by Member States in accordance with General Assembly resolution 37/105 (A/AC.193/5 and Add.1). The Working Group of the Special Committee continued its work with a particular focus on the working paper that had been submitted by the Chairman of the Special Committee in the 1982 session (A/38/41). At the thirty-eighth session of the General Assembly, in 1983, following the recommendation of its Sixth Committee (A/38/666), the Assembly adopted resolution 38/133 of 19 December 1983 by which, taking note of the report of the Special Committee, it decided, *inter alia*, that the Committee should continue its work and requested it to continue, at its 1984 session, with the elaboration of the main elements of the principle of non-use of force in international relations on the basis of the informal working paper. Finally, the General Assembly reiterated the invitation to Member States to submit comments in accordance with resolution 31/9.

At its seventh session, in 1984, the Special Committee continued its discussions of the matter (A/39/41) on the basis of the comments and suggestions received by the Member States in accordance with General Assembly resolution 38/133 (A/AC.193/6 and Add.1). At the thirty-ninth session of the General Assembly, following a recommendation of its Sixth Committee (A/39/776), the Assembly adopted resolution 39/81 of 13 December 1984 by which, taking note of the report of the Special Committee, it requested, *inter alia*, the Special Committee to speed up, at the Committee's 1985 session, the elaboration of the seven principles contained in the informal working paper, taking duly into account the efforts undertaken at its 1982 to 1984 sessions. The Assembly also requested the Special Committee to concentrate its work in the framework the Committee's working group.

At its eighth session, in 1985, the Special Committee continued its consideration of the matter (A/40/41) on the basis of the comments and suggestions received by Member States in accordance with General Assembly resolution 39/81 (A/AC.193/7). At the fortieth session of the General Assembly, following the recommendation of its Sixth Committee (A/40/1001), the Assembly adopted resolution 40/70 of 11 December 1985 by which, taking note of the report of the Special Committee and taking into account the suggestions of Member States introduced in the Sixth Committee on the preparation at the present stage of a declaration on the non-use of force in international relations, it decided, *inter alia*, that the Special Committee should continue its work with the goal of drafting a world treaty on the matter and, at the earliest possible date, as an intermediate stage, drafting a declaration on the non-use of force as well as the peaceful settlement of disputes or such other recommendations as the Special Committee deemed appropriate. The General Assembly further invited the Special Committee, in drafting the declaration, to take into consideration the results of work done in the preparation of the informal working paper containing the main elements of the principle of non-use of force in international

relations, as well as suggestions submitted to it and the efforts undertaken at its previous sessions.

At its ninth session, in 1986, the Special Committee continued its consideration of the matter (A/41/41) on the basis of the comments and suggestions received by Member States in accordance with General Assembly resolution 40/70 (A/AC.193/8). At the forty-first session of the General Assembly, following the recommendation of its Sixth Committee (A/41/860), the Assembly adopted resolution 41/76 of 3 December 1986 by which, taking note of the report of the Special Committee, it decided, *inter alia*, that the Committee should complete a draft declaration on the enhancement of the effectiveness of the principle of non-use of force in international relations. By the same resolution, the General Assembly further invited the Special Committee to submit its final report containing a draft declaration to the Assembly at its forty-second session.

At its tenth and final session, in 1987, the Special Committee concluded its consideration of the matter and adopted a draft declaration on the enhancement of the effectiveness of the principle of refraining from the threat or use of force in international relations (A/42/41). At the forty-second session of the General Assembly, during the debate of the matter in the Sixth Committee (A/C.6/42.SR.16, 17, 18, 19, 20, 21 and 50), Italy introduced a joint draft resolution (A/C.6/42/L.4) which recommended that the General Assembly adopt the draft declaration. On 13 November 1987, the Sixth Committee approved this proposal and accordingly recommended that the General Assembly adopt a resolution to this effect (A/42/766). On 18 November 1987, the General Assembly accordingly adopted, without a vote, resolution 42/22.