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### DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION

#### Report of the Second Committee (Part III)

Rapporteur: Mrs. Maureen STEPHENSON-VERNON (Jamaica)

#### I. INTRODUCTION

1. The Committee continued its consideration of the item at its 35th, 39th, 41st, 43rd, 45th and 46th meetings on 3, 5, 11, 14 and 20 November 1980. An account of the Committee's discussion is contained in the relevant summary records (A/C.2/35/SR.35, 39, 41, 43, 45 and 46).

#### II. CONSIDERATION OF PROPOSALS

##### A. Charter of Economic Rights and Duties of States (subitem (b))

##### Draft resolution A/C.2/35/L.47 and Rev.1

2. At the 39th meeting, on 5 November, the representative of Venezuela introduced a draft resolution (A/C.2/35/L.47), entitled "Charter of Economic Rights and Duties of States", on behalf of the States Members of the United Nations which are members of the Group of 77. The draft resolution read as follows:

"The General Assembly,

"Recalling the Declaration and the Programme of Action on the Establishment of a New International Economic Order of 1 May 1974, as well as the Charter of Economic Rights and Duties of States, of 12 December 1974, which laid down the foundations of the new international economic order, 1/

1/ General Assembly resolutions 3201 (S-VI), 3202 (S-VI) and 3281 (XXIX), respectively.

"Bearing in mind article 34 of the Charter of Economic Rights and Duties of States and its resolution 3486 (XXX), of 12 December 1975, relating to the review of the implementation of the Charter,

"Concerned by the limited and partial progress in the implementation of the resolutions on the new international economic order, and of the provisions contained in the Charter of Economic Rights and Duties of States, which are imperative for the attainment of more just and equitable international economic relations and vital for the structural changes needed to promote the development of developing countries,

"Aware of the consensus reached during its eleventh special session on an international development strategy for the Third United Nations Development Decade,

"Mindful of the vital importance that the international community attaches to the launching and successful conclusion of the round of global negotiations on international economic co-operation for development,

"Taking note of the report by the Secretary-General on the evaluation of the progress achieved in the establishment of the new international economic order and the appropriate action for the promotion of the development of the developing countries and international economic co-operation. 2/

"1. Reiterates the role of the Declaration and the Programme of Action on the Establishment of a New International Economic Order and of the Charter of Economic Rights and Duties of States as fundamental sources for defining the principles of international economic co-operation for development;

"2. Solemnly reiterates the common commitment to the establishment of the new international economic order;

"3. Urges Member States to take all appropriate measures for the prompt achievement of these aims by means of, inter alia, a demonstration of the political will needed for the launching and successful conclusion of the round of global negotiations and the implementation of the new international development strategy;

"4. Invites the Economic and Social Council to continue reviewing the implementation of the Charter, as provided for in General Assembly resolution 3486 (XXX);

"5. Requests the Secretary-General to continue reporting on the implementation of the Charter of Economic Rights and Duties of States within the context of the establishment of the new international economic order and in consonance with the provisions of the new international development strategy.

3. At the 46th meeting, on 20 November, the representative of Venezuela introduced a revised draft resolution (A/C.2/35/L.47/Rev.1), on behalf of the States Members of the United Nations which are members of the Group of 77, which contained the following changes:

(a) The third preambular paragraph read as follows:

"Concerned by the limited and partial progress in the attainment of the aims and objectives established in the resolutions on the new international economic order and of the provisions contained in the Charter of Economic Rights and Duties of States which are directed towards more just and equitable economic relations and towards the structural changes needed to promote the development of developing countries";

(b) A new fourth preambular paragraph read as follows:

"Reaffirming solemnly the determination to establish a new international economic order";

(c) The fifth preambular paragraph read as follows:

"Mindful of the great importance that the international community attaches to the launching and successful conclusion of the round of global negotiations on international economic co-operation for development and to the implementation of the International Development Strategy for the Third United Nations Development Decade";

(d) Operative paragraph 1 read as follows:

"1. Reaffirms the role of the Declaration and the Programme of Action on the Establishment of a New International Economic Order and of the Charter of Economic Rights and Duties of States as principal sources for international economic co-operation for development";

(e) Operative paragraph 2 read as follows:

"2. Urges Member States, in this context, to take all appropriate measures needed for the launching and successful conclusion of the round of global negotiations and the implementation of the International Development Strategy for the Third United Nations Development Decade";

(f) Operative paragraph 3 read as follows:

"3. Decides, in the light of the results of the negotiations on international economic co-operation for development, to hold at its thirty-sixth session a comprehensive in-depth review of the implementation of the Charter of Economic Rights and Duties of States, as provided for in article 34 thereof".

4. The Vice-Chairman of the Committee, Mr. J. L. Villa, who co-ordinated informal consultations on the draft resolution, made a statement.

5. At the same meeting, the Committee adopted draft resolution A/C.2/35/L.47/Rev.1 by a recorded vote of 106 to 1, with 14 abstentions (see para. 45, draft resolution I). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Australia, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, Saudi Arabia, United Kingdom of Great Britain and Northern Ireland.

6. Statements in explanation of vote after the vote were made by the representatives of Luxembourg (on behalf of States members of the European Economic Community), the United States of America, Sweden, Austria, Japan and Czechoslovakia (also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics) (see A/C.2/35/SR.46).

B. Trade and development (subitem (c))

1. Draft resolution A/C.2/35/L.33 and Rev. 1

7. At the 35th meeting, on 3 November, the representative of Bolivia introduced a draft resolution (A/C.2/35/L.33), entitled "Special action related to the particular needs and problems of land-locked developing countries", on behalf of Afghanistan, Bhutan, Bolivia, Botswana, Burundi, the Central African Republic, Chad, Nepal, Paraguay, Uganda and Zambia. Subsequently, the Lao People's Democratic Republic, Mali, Rwanda and the Sudan joined as sponsors. The draft resolution read as follows:

"The General Assembly,

"Reiterating the specific actions related to the particular needs of the land-locked developing countries stated in resolutions 63 (III) of 19 May 1972, 3/ 98 (IV) of 31 May 1976 4/ and 123 (V) of 3 June 1979 5/ of the United Nations Conference on Trade and Development,

"Recalling the provisions of its resolutions 31/157 of 21 December 1976, 32/191 of 19 December 1977, 33/150 of 20 December 1978 and 34/198 of 19 December 1979 and other relevant resolutions of the United Nations with respect to the particular needs and problems of land-locked developing countries,

"Bearing in mind various other resolutions adopted by the General Assembly, its related organs and specialized agencies emphasizing special and urgent measures in favour of land-locked developing countries,

"Recognizing that lack of territorial access to the sea, aggravated by remoteness and isolation from world markets and the great transit, transport and trans-shipment cost impose serious constraints on their socio-economic development,

"Noting with concern that the measures taken so far in favour of land-locked developing countries and the assistance given fall far short of their needs,

"1. Reaffirms the right of land-locked developing countries to free access to and from the sea and their right to freedom of transit;

"2. Appeals to all countries, international organizations and financial institutions to implement, as a matter of urgency and priority, the specific actions related to particular needs and problems of land-locked developing countries contained in resolutions 63 (III), 98 (IV) and 123 (V) of the United Nations Conference on Trade and Development and in other relevant resolutions of the United Nations;

"3. Urges all donor countries, as well as those in a position to do so, and the international organizations concerned to provide land-locked developing countries with appropriate and substantial financial and technical assistance in form of grants or concessional loans for the construction and improvement of their transport and transit infrastructure and facilities;

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3/ See Proceedings of the United Nations Conference on Trade and Development, Third Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.73.II.D.4), annex I.A.

4/ Ibid., Fourth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

5/ Ibid., Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

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"4. Urges also the international community and multilateral and bilateral financial institutions to raise the net flow of resources to land-locked developing countries to offset the adverse effects of their disadvantageous geographical situation on their economic development efforts;

"5. Invites the transit countries to co-operate effectively with the land-locked developing countries in harmonization of transport-planning and the promotion of other joint ventures in the field of transport at regional, subregional and bilateral levels;

"6. Commends the United Nations Development Programme, the United Nations Conference on Trade and Development and other United Nations agencies for their work and the assistance they have provided to the land-locked developing countries;

"7. Invites the United Nations Development Programme and the financial institutions of the United Nations to take appropriate and effective measures to increase substantially the allocation of resources to the land-locked developing countries;

"8. Further invites the international community to support financially interested transit and land-locked developing countries in the construction of alternate routes to the sea;

"9. Recommends continued and intensified activities concerning studies and implementation of special actions and action programmes for the land-locked developing countries, including those in the area of economic co-operation among developing countries as well as those that have been envisaged under the programme of work of the United Nations Conference on Trade and Development, the regional commissions and other programmes and activities at regional and subregional levels.

8. At the 43rd meeting, on 14 November, the representative of Bolivia, on behalf of the sponsors, introduced a revised draft resolution (A/C.2/35/L.33/Rev.1), which contained the following changes:

(a) Operative paragraph 3 was revised to read as follows:

"3. Urges all donor countries, as well as those in a position to do so, and the international organizations concerned to provide land-locked developing countries with appropriate financial and technical assistance in form of grants or concessional loans for the construction and improvement of their transport and transit infrastructure and facilities";

(b) Operative paragraph 4 was revised to read as follows:

"4. Urges also the international community and multilateral and bilateral financial institutions to help intensify their efforts in raising the net flow of resources to land-locked developing countries to offset the adverse effects of their disadvantageous geographical situation on their economic development efforts, in keeping with the over-all economic situation of each land-locked country";

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(c) Operative paragraphs 6 and 7 were combined as a single operative paragraph 6 reading as follows:

"6. Commends the United Nations Development Programme, the United Nations Conference on Trade and Development and other United Nations agencies for their work and the assistance they have provided to the land-locked developing countries and invites them to continue to take appropriate and effective measures to respond to the specific needs of the land-locked developing countries",

and the subsequent operative paragraphs were renumbered accordingly.

9. At its 45th meeting, on 20 November, the Committee proceeded to vote on draft resolution A/C.2/35/L.33/Rev.1. A statement was made by the representative of Nepal, who further revised operative paragraph 4. Statements in explanation of vote before the vote were made by the representatives of Pakistan, India, Thailand, Algeria, the Libyan Arab Jamahiriya, Mauritania, Bangladesh, the Sudan, Tunisia and Mongolia.

10. At the request of Pakistan, the Committee took a separate vote on operative paragraph 1 of draft resolution A/C.2/35/L.33/Rev.1. The paragraph was retained by a recorded vote of 50 to 9, with 71 abstentions. 6/ The voting was as follows:

In favour: Afghanistan, Angola, Argentina, Australia, Austria, Bangladesh, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Colombia, Cuba, Czechoslovakia, Dominican Republic, El Salvador, German Democratic Republic, Guinea-Bissau, Hungary, Iraq, Ivory Coast, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mexico, Mongolia, Nepal, Nicaragua, Panama, Peru, Poland, Rwanda, Sierra Leone, Singapore, Spain, Swaziland, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Upper Volta, Uruguay, Venezuela, Zambia.

Against: Congo, Gabon, India, Iran, Libyan Arab Jamahiriya, Pakistan, Sudan, Thailand, Viet Nam.

Abstaining Algeria, Bahrain, Belgium, Burma, Cape Verde, Chile, China, Comoros, Costa Rica, Cyprus, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Morocco, Mozambique,

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6/ The representative of Angola subsequently indicated that his delegation had intended to vote against operative paragraph 1. The representative of Zaire indicated that, had his delegation been present, it would have voted against operative paragraph 1.

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Netherlands, New Zealand, Nigeria, Norway, Oman, Papua New Guinea, Philippines, Portugal, Qatar, Romania, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Sri Lanka, Sweden, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Yemen, Yugoslavia.

11. The Committee then adopted draft resolution A/C.2/35/L.33/Rev.1 as a whole, as orally revised, by a recorded vote of 124 to none, with 9 abstentions (see para. 45 draft resolution II). 7/ The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Finland, France, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: None.

Abstaining: Burma, Chile, Gabon, Grenada, India, Liberia, Libyan Arab Jamahiriya, Oman, Pakistan.

12. At the 46th meeting, on 20 November, statements were made in explanation of the vote after the vote by the representatives of Peru, Luxembourg (on behalf of the States members of the European Economic Community), Morocco, the Union of Soviet Socialist Republics, Japan, Mozambique, Uruguay, Viet Nam, the United Kingdom of Great Britain and Northern Ireland, the Congo, the Gambia, Senegal, Democratic Yemen, Egypt, Ecuador and Brazil (see A/C.2/35/SR.46).

7/ The representative of Zaire subsequently indicated that, had his delegation been present, it would have voted in favour of the draft resolution.

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2. Draft resolutions A/C.2/35/L.49 and A/C.2/35/L.101

13. At the 39th meeting, on 5 November, the representative of Morocco introduced a draft resolution (A/C.2/35/L.49), entitled "Particular problems facing Zaire with regard to transport, transit and access to foreign markets", on behalf of Belgium, Benin, Burundi, the Central African Republic, China, the Congo, Morocco, Nigeria, Rwanda, Senegal, Somalia, the United Republic of Tanzania, Yugoslavia and Zaire. Subsequently, Bolivia and France joined as sponsors. The draft resolution read as follows:

"The General Assembly,

"Having considered the interim report of the Secretary-General on particular problems facing Zaire with regard to transport, transit and access to foreign markets, 8/

"Recalling resolution 110 (V), adopted by the United Nations Conference on Trade and Development at its fifth session, held at Manila from 7 May to 3 June 1979, 9/

"Recalling further its resolutions 32/160 of 19 December 1977 concerning the Transport and Communications Decade in Africa and 34/193 of 19 December 1979, in which it requested the Secretary-General to take the necessary steps to accelerate the implementation of United Nations Conference on Trade and Development resolution 110 (V) and to report thereon to the General Assembly,

"Realizing the particular difficulties facing Zaire because of the problems encountered by its foreign trade with regard to transport, transit and access to foreign markets,

"1. Takes note of the report of the Secretary-General on the implementation of resolution 34/193 concerning particular problems facing Zaire with regard to transport, transit and access to foreign markets; 8/

"2. Requests the Secretary-General to continue his efforts with a view to enabling the appropriate organs of the United Nations to provide the necessary technical assistance as soon as possible to the Government of Zaire and to report thereon to the General Assembly at its thirty-sixth session."

14. At the 43rd meeting, on 14 November, Mr. J. L. Villa, Vice-Chairman of the Committee, introduced a draft resolution (A/C.2/35/L.101), which was submitted in his name on the basis of informal consultations held on draft resolution A/C.2/35/L.49.

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8/ A/35/512.

9/ See Proceedings of the United Nations Conference on Trade and Development, Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

15. At the same meeting, the Committee, adopted draft resolution A/C.2/35/L.101 (see para. 45, draft resolution III).

16. In the light of the adoption of the draft resolution, draft resolution A/C.2/35/L.49 was consequently withdrawn by the sponsors.

17. Statements were made by the representatives of Algeria, Czechoslovakia (also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics) and Zaire (see A/C.2/35/SR.43).

3. Draft resolution A/C.2/35/L.50 and draft decision A/C.2/35/L.123

18. At the 39th meeting, on 5 November, the representative of Venezuela introduced a draft resolution (A/C.2/35/L.50), entitled "Protectionism and structural adjustment", on behalf of the States Members of the United Nations which are members of the Group of 77 (see para. 46).

19. At the 46th meeting, on 20 November, Mr. J. L. Villa, Vice-Chairman of the Committee, introduced a draft decision (A/C.2/35/L.123), which was submitted in his name on the basis of informal consultations on draft resolution A/C.2/35/L.50.

20. Statements were made by the representatives of Venezuela (on behalf of the States members of the Group of 77) and the Union of Soviet Socialist Republics (see A/C.2/35/SR.46).

21. At the same meeting, the Committee adopted draft decision A/C.2/35/L.123 (see para. 46).

22. In the light of the adoption of the draft decision, action on draft resolution A/C.2/35/L.50 was consequently deferred to the thirty-sixth session of the General Assembly.

5. Draft resolution A/C.2/35/L.53 and Rev.1

23. At the 41st meeting, on 11 November, the representative of Venezuela introduced a draft resolution (A/C.2/35/L.53), entitled "United Nations Conference on Trade and Development", on behalf of the States Members of the United Nations which are members of the Group of 77. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

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"1. Takes note of the report of the Trade and Development Board on its eleventh special session and its twentieth session 10/ and on its twenty-first session; 11/

"2. Takes note with satisfaction of the adoption on 27 June 1980 of the Agreement Establishing the Common Fund for Commodities 12/ and the pledges already announced for voluntary contributions to its Second Account, and urges all Governments to complete expeditiously the procedures required for its signature and ratification so that it may enter into force as early as possible;

"3. Also takes note with satisfaction of the adoption of the United Nations Convention on International Multimodal Transport and urges all Governments to sign the Convention and take the necessary steps for becoming contracting parties to it as expeditiously as possible;

"4. Welcomes resolution 222 (XXI) of 27 September 1980 of the Trade and Development Board on debt and development problems of developing countries and calls upon all developed donor countries that have not yet done so, to take the necessary steps to fully and immediately implement section A of resolution 165 (S-IX) of 11 March 1978 of the Trade and Development Board on debt and development problems of developing countries;

"5. Endorses the report of the Ad Hoc Intergovernmental High-Level Group of Experts on the Evolution of the International Monetary System, 13/ reaffirms the role of United Nations Conference on Trade and Development in contributing to the efforts towards the evolution of the international monetary system and in particular regarding the interaction between that system and world trade and development, regrets the lack of participation by the majority of developed countries and urges those developed countries that did not participate in the work of the Group of Experts to do so in the future;

"6. Notes with disappointment that the United Nations Conference on an International Code of Conduct on the Transfer of Technology, at its third session, did not complete its task, as called for by the General Assembly in resolution 34/195 of 19 December 1979, and reiterates its call for the necessary political will and flexibility on the part of all Governments at the Conference which is to be reconvened from 23 March to 10 April 1981 in order to reach agreement on the outstanding issues and to take all decisions necessary for the adoption of the International Code of Conduct on the Transfer of Technology, bearing in mind the interests and concerns of the developing countries;

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10/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 15 (A/35/15), vol. I.

11/ Ibid., vol. II.

12/ TD/IPC/CF/CONF/24.

13/ TD/B/823-TD/B/AC.32/2.

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"7. Notes with satisfaction the adoption of the International Natural Rubber Agreement, 1979, and urges Governments that have signed it but have not yet completed the procedures required for ratification, acceptance or approval of the Agreement to do so as soon as possible, and Governments that have not yet signed the Agreement but wish to accede to it to do so without delay after its provisional entry into force, so that the Agreement may enter into force definitively at an early date."

24. At the 46th meeting, on 20 November, the representative of Venezuela introduced a revised version of the draft resolution (A/C.2/35/L.53/Rev.1) on behalf of the States Members of the United Nations which are members of the Group of 77. The revised draft resolution contained the following changes:

(a) Operative paragraph 2 read as follows:

"2. Takes note with satisfaction of the adoption on 27 June 1980 of the Agreement Establishing the Common Fund for Commodities and the pledges already announced for voluntary contributions to its Second Account, and urges all Governments to complete expeditiously the procedures required for its signature, ratification, acceptance or approval, so that it may enter into force as early as possible";

(b) Operative paragraph 3 read as follows:

"3. Also takes note with satisfaction of the adoption of the United Nations Convention on International Multimodal Transport and urges all Governments to consider signing the Convention and taking the necessary steps for becoming contracting parties to it as expeditiously as possible";

(c) Operative paragraph 4 read as follows:

"4. Welcomes resolution 222 (XXI) of 27 September 1980 of the Trade and Development Board on debt and development problems of developing countries and urges all developed donor countries which have not done so to take the necessary steps to implement fully and immediately section A of resolution 165 (S-IX) of 11 March 1978, of the Trade and Development Board, taking into account paragraph 5 thereof";

(d) Operative paragraph 5 read as follows:

"5. Takes note of the report of the Ad Hoc Intergovernmental High-Level Group of Experts on the Evolution of the International Monetary System, reaffirms the role of United Nations Conference on Trade and Development in contributing to the efforts towards the evolution of the international monetary system, and in particular regarding the interaction between that system and world trade and development, and urges those countries that did not participate in the work of the Group of Experts to do so in the future";

(e) Operative paragraph 6 read as follows:

"6. Notes with concern that the United Nations Conference on an International Code of Conduct on the Transfer of Technology, at its third session, did not complete its task, as called for by the General Assembly in resolution 34/195 of 19 December 1979, and decides to convene a fourth session of the Conference from 23 March to 10 April 1981 and reiterates its call for the necessary political will and flexibility on the part of all Governments, in order to reach agreement on the outstanding issues and to take all decisions necessary for the adoption of the international code of conduct on the transfer of technology, bearing in mind the interests and concerns of the developing countries".

25. A statement by the Secretary-General on the administrative and financial implications of draft resolution A/C.2/35/L.53/Rev.1 was circulated in document A/C.2/35/L.122.

26. At the same meeting, the Committee, at the request of Luxembourg (on behalf of the States members of the European Economic Community), took a separate vote on operative paragraph 5 of draft resolution A/C.2/35/L.53/Rev.1. The paragraph was retained by a recorded vote of 97 votes to 15, with 9 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Japan, Luxembourg, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Greece, Israel, Italy, Netherlands, New Zealand, Norway, Portugal, Spain, Turkey.

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27. The Committee then adopted draft resolution A/C.2/35/L.53/Rev.1 by a recorded vote of 104 to none, with 18 abstentions (see para. 45, draft resolution IV). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Israel, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Japan, Luxembourg, New Zealand, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

28. Statements in explanation of vote after the vote were made by the representatives of Czechoslovakia (also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics), Sweden, Spain, Japan, the United Kingdom of Great Britain and Northern Ireland, Luxembourg (on behalf of the States members of the European Economic Community), Italy, France, Greece, Turkey, the Netherlands and the United States of America.

6. Draft resolutions A/C.2/35/L.61 and A/C.2/35/L.106

29. At the 41st meeting, on 11 November, the representative of Malta introduced a draft resolution (A/C.2/35/L.61), entitled "Action programme in favour of island developing countries", on behalf of Bahrain, Cyprus, Jamaica, Malta, Saint Lucia, Sao Tome and Principe and Trinidad and Tobago. Subsequently, Bangladesh, Barbados, Cape Verde, Fiji, Madagascar and Singapore joined as sponsors. The draft resolution read as follows:

"The General Assembly,

"Reiterating the programme of specific action in favour of developing island countries envisaged in resolution 98 (IV) of 31 May 1976 14/ and 111 (V) of 3 June 1979 15/ of the United Nations Conference on Trade and Development,

"Recalling its resolutions 31/156 of 21 December 1976, 32/185 of 19 December 1977 and 34/205 of 19 December 1979 and other relevant resolutions of the United Nations relating to the special needs and problems of island developing countries,

"Mindful that further specific action is needed to assist island developing countries in offsetting the major handicaps they face in their development process,

"Bearing in mind the relevant sections of the text of the new International Development Strategy as agreed by the General Assembly at its eleventh special session. 16/

"1. Notes with concern that very few significant initiatives has so far been taken for the implementation of the action envisaged in resolutions 98 (IV) and 111 (V) of the United Nations Conference on Trade and Development;

"2. Appeals to all countries, international organizations and financial institutions to take urgent and effective action to implement specific actions in favour of island developing countries;

"3. Invites the competent organs of the United Nations system to take further measures to enhance their capacity to respond positively to the needs of island developing countries during the Third United Nations Development Decade;

"4. Decides to undertake at its thirty-seventh session a comprehensive review of the implementation of measures taken by the international community in favour of island developing countries as called for in the relevant General Assembly and other resolutions."

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14/ See Proceedings of the United Nations Conference on Trade and Development, Fourth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

15/ Ibid., Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

16/ A/35/464.

30. At the 45th meeting, on 20 November, Mr. J. L. Villa, Vice-Chairman of the Committee, introduced a draft resolution (A/C.2/35/L.106), which was submitted in his name on the basis of informal consultations held on A/C.2/35/L.61.

31. At the same meeting, the Committee adopted draft resolution A/C.2/35/L.106 (see para. 45, draft resolution V).

32. In the light of the adoption of the draft resolution, draft resolution A/C.2/35/L.61 was consequently withdrawn by the sponsors.

33. A statement was made by the representative of Czechoslovakia (also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics) (see A/C.2/35/SR.45).

7. Draft resolutions A/C.2/35/L.65 and A/C.2/35/L.124

34. At the 41st meeting, on 11 November, the representative of Venezuela introduced a draft resolution (A/C.2/35/L.65), entitled "Reverse transfer of technology", on behalf of the States Members of the United Nations which are members of the Group of 77. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

"Recalling also its resolutions 32/192 of 19 December 1977 and 33/151 of 20 December 1978 entitled "Reverse transfer of technology", as well as its resolution 34/200 of 19 December 1979 on development aspects of the reverse transfer of technology,

"Noting the Economic Declaration adopted by the Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979 17/ and, in particular, paragraph 67 thereof,

"Noting also the report of the United Nations Conference on Trade and Development on its fifth session 18/ and, in particular,

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17/ See A/34/542, annex, sect. IV.

18/ Proceedings of the United Nations Conference on Trade and Development, Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14).



resolution 102 (V), 19/ the Vienna Programme of Action on Science and Technology for Development 20/ and the resolution of the Trade and Development Board on the reverse transfer of technology, in particular resolutions 193 (XIX) of 20 October 1979 21/ and 219 (XXI) of 27 September 1980, 22/

"Considering the proposals made by the Group of 77 in the Arusha Programme for Collective Self-Reliance and Framework for Negotiations, 23/ adopted by the Fourth Ministerial Meeting of the Group of 77, held at Arusha from 12 to 16 February 1979,

"Reiterating its concern for the negative effects of the brain drain on the capacity and potential of scientific and technological development in developing countries and, thus, on their economic and social development,

"Considering that the brain drain constitutes a gratuitous and reverse transfer of technology from developing to developed countries,

"Convinced that the search for solutions to the reverse transfer of technology, which has serious economic, political and social implications for developing countries, is a responsibility of the international community in its efforts to implement the New International Economic Order,

"Convinced also of the role that should be played by the United Nations system in the elimination of reverse transfer of technology,

"1. Takes note of the preliminary report presented by the Secretary-General on the establishment of international labour compensatory facilities and considers it as an adequate basis for the continuation of work in this field;

"2. Requests the Secretary-General to present to the Assembly at its thirty-sixth session the final report on this issue, to be prepared in co-operation with the United Nations Conference on Trade and Development, the International Labour Organisation and other relevant United Nations organizations;

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19/ Ibid., part one, sect. A.

20/ Report of the United Nations Conference on Science and Technology for Development, Vienna, 20-31 August 1979 (United Nations publication, Sales No. E.79.I.21 and corrigenda), chap. VII.

21/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 15 (A/34/15 and Corr.1), vol. II, part one, annex I.

22/ Ibid., Thirty-fifth Session, Supplement No. 15 (A/35/15).

23/ TD/236.

"3. Requests the Secretary-General of the United Nations Conference on Trade and Development to pursue vigorously the work on the adoption of measures contributing to the elimination of the reverse transfer of technology;

"4. Requests the Trade and Development Board to conclude the consideration of the adoption of measures contributing to the elimination of the reverse transfer of technology, including the convening of a group of experts to examine the feasibility of measuring the human resource flows, and to report to the Trade and Development Board at its twenty-third session and, through it, to the General Assembly at its thirty-sixth session."

35. At the 46th meeting, on 20 November, Mr. J. L. Villa, Vice-Chairman of the Committee, introduced and orally revised a draft resolution (A/C.2/35/L.124), entitled "Reverse transfer of technology", which was submitted in his name on the basis of informal consultations on draft resolution A/C.2/35/L.65.

36. Statements were made by the representatives of the German Democratic Republic, the Union of Soviet Socialist Republics, Venezuela (on behalf of the States members of the Group of 77), Bulgaria and Luxembourg (on behalf of the States members of the European Economic Community) (see A/C.2/35/SR.46).

37. At the same meeting, the Committee adopted draft resolution A/C.2/35/L.124 (see para. 45, draft resolution VI).

38. In the light of the adoption of the draft resolution A/C.2/35, draft resolution A/C.2/35/L.65 was consequently withdrawn by the sponsors.

39. Statements were made by the representatives of Canada, the United States of America, Czechoslovakia (also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics) and Spain (see A/C.2/35/SR.46).

8. Draft resolutions A/C.2/35/L.70 and A/C.2/35/L.75

40. At the 41st meeting, on 11 November, the representative of Venezuela introduced a draft resolution (A/C.2/35/L.70), entitled "Restrictive business practices", on behalf of the States Members of the United Nations which are members of the Group of 77. The draft resolution read as follows:

"The General Assembly,

"Recalling that the United Nations Conference on Restrictive Business Practices, convened by the General Assembly in its resolution 33/153 of 20 December 1978, held its first session from 19 November to 8 December 1979 and, by Assembly decision 34/447 of 19 December 1979, held its second session from 8 to 22 April 1980,

"Taking note with satisfaction that the Conference approved the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, and transmitted it to the General Assembly at its thirty-fifth session 24/ having taken all decisions necessary for its adoption as a resolution,

"Noting that the United Nations Conference on Trade and Development, by resolution 103 (V) of 30 May 1979, 25/ requested the United Nations Conference on Restrictive Business Practices to make recommendations through the General Assembly to the Trade and Development Board in respect of institutional aspects concerning future work on restrictive business practices within the framework of the United Nations Conference on Trade and Development, bearing in mind the work done in this field elsewhere in the United Nations,

"1. Adopts the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, approved by the United Nations Conference on Restrictive Business Practices and set forth in the annex to the present resolution;

"2. Decides to convene, in 1985, a United Nations conference under the auspices of the United Nations Conference on Trade and Development for the purpose of reviewing all the aspects of the Set of Principles and Rules;

"3. Takes note of the recommendations of the Conference on Restrictive Business Practices regarding international institutional machinery, contained in section G of the Set of Principles and Rules and requests the Trade and Development Board, at its twenty-second session, to establish an intergovernmental group of experts on restrictive business practices, operating within the framework of a committee of the United Nations Conference on Trade and Development, to perform the functions designated in that section;

"4. Decides also that the necessary resources should be made available to the United Nations Conference on Trade and Development to carry out the tasks embodied in the Set of Principles and Rules."

41. At the 45th meeting, on 20 November, Mr. J. L. Villa, Vice-Chairman of the Committee, introduced a draft resolution (A/C.2/35/L.75), which was submitted in his name on the basis of informal consultations held on draft resolution A/C.2/35/L.70.

42. At the same meeting, the Committee adopted draft resolution A/C.2/35/L.75 (see para. 45, draft resolution VII).

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24/ TD/RBP/CONF/10; transmitted to the members of the General Assembly by a note by the Secretariat (A/C.2/35/6).

25/ Proceedings of the United Nations Conference on Trade and Development, Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

43. In the light of the adoption of the draft resolution, draft resolution A/C.2/35/L.70 was withdrawn by the sponsors.

44. Statements were made by the representatives of Japan, Czechoslovakia (also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics), the United States of America and the observer for Switzerland (see A/C.2/35/SR.45).

### III. RECOMMENDATIONS OF THE SECOND COMMITTEE

45. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### DRAFT RESOLUTION I

##### Charter of Economic Rights and Duties of States

###### The General Assembly,

Recalling the Declaration and the Programme of Action on the Establishment of a New International Economic Order, contained in its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, and the Charter of Economic Rights and Duties of States, contained in resolution 3281 (XXIX) of 12 December 1974, which laid down the foundations of the new international economic order,

Bearing in mind article 34 of the Charter of Economic Rights and Duties of States and its resolution 3486 (XXX) of 12 December 1975, relating to the review of the implementation of the Charter,

Concerned by the limited and partial progress in the attainment of the aims and objectives established in the resolutions on the new international economic order and of the provisions contained in the Charter of Economic Rights and Duties of States which are directed towards more just and equitable economic relations and towards the structural changes needed to promote the development of developing countries,

Reaffirming solemnly the determination to establish a new international economic order,

Mindful of the great importance that the international community attaches to the launching and successful conclusion of the round of global negotiations on international economic co-operation for development and to the implementation of the International Development Strategy for the Third United Nations Development Decade,

Taking note of the report of the Secretary-General on the evaluation of the progress made in the establishment of the new international economic order and the appropriate action for the promotion of the development of the developing countries and international economic co-operation, 26/

1. Reaffirms the role of the Declaration and the Programme of Action on the Establishment of a New International Economic Order and of the Charter of Economic Rights and Duties of States as principal sources for international economic co-operation for development;

2. Urges Member States, in this context, to take all appropriate measures for the launching and successful conclusion of the round of global negotiations and the implementation of the International Development Strategy for the Third United Nations Development Decade; 27/

3. Decides, in the light of the results of the negotiations on international economic co-operation for development, to hold at its thirty-sixth session a comprehensive in-depth review of the implementation of the Charter of Economic Rights and Duties of States, as provided for in article 34 thereof.

#### DRAFT RESOLUTION II

##### Special action related to the particular needs and problems of land-locked developing countries

The General Assembly,

Reiterating the specific actions related to the particular needs of the land-locked developing countries stated in resolutions 63 (III) of 19 May 1972, 28/ 98 (IV) of 31 May 1976 29/ and 123 (V) of 3 June 1979 30/ of the United Nations Conference on Trade and Development,

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26/ A/S-11/5 and Corr.1.

27/ A/35/592/Add.1, para. 6.

28/ See Proceedings of the United Nations Conference on Trade and Development, Third Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.73.II.D.4), annex I.A.

29/ Ibid., Fourth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

30/ Ibid., Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

Recalling the provisions of its resolutions 31/157 of 21 December 1976, 32/191 of 19 December 1977, 33/150 of 20 December 1978 and 34/198 of 19 December 1979 and other resolutions of the United Nations relating to the particular needs and problems of land-locked developing countries,

Bearing in mind various other resolutions adopted by the General Assembly, its related organs and specialized agencies emphasizing special and urgent measures in favour of land-locked developing countries,

Recognizing that the lack of territorial access to the sea, aggravated by remoteness and isolation from world markets, and the great transit, transport and trans-shipment costs impose serious constraints on their socio-economic development,

Noting with concern that the measures taken so far in favour of land-locked developing countries and the assistance given fall far short of their needs,

1. Reaffirms the right of land-locked developing countries to free access to and from the sea and their right to freedom of transit;

2. Appeals to all States, international organizations and financial institutions to implement, as a matter of urgency and priority, the specific actions related to the particular needs and problems of land-locked developing countries envisaged in resolutions 63 (III), 98 (IV) and 123 (V) of the United Nations Conference on Trade and Development and in other relevant resolutions of the United Nations;

3. Urges all donor countries, as well as those in a position to do so and the international organizations concerned, to provide land-locked developing countries with appropriate financial and technical assistance in the form of grants or concessional loans for the construction and improvement of their transport and transit infrastructures and facilities;

4. Urges also the international community and multilateral and bilateral financial institutions to intensify efforts in raising the net flow of resources to land-locked developing countries to help offset the adverse effects of their disadvantageous geographical situation on their economic development efforts, in keeping with the over-all economic situation of each land-locked country;

5. Invites the transit countries to co-operate effectively with the land-locked developing countries in harmonizing transport planning and promoting other joint ventures in the field of transport at regional, subregional and bilateral levels;

6. Commends the United Nations Development Programme, the United Nations Conference on Trade and Development and other United Nations agencies for their work and the assistance they have provided to the land-locked developing countries and invites them to continue to take appropriate and effective measures to respond to the specific needs of those countries;

7. Further invites the international community to give financial support to interested transit and land-locked developing countries in the construction of alternative routes to the sea;

8. Recommends continued and intensified activities relating to the conducting of necessary studies and the implementation of special actions and action programmes for the land-locked developing countries, including those in the area of economic co-operation among developing countries, as well as those that have been envisaged in the programme of work of the United Nations Conference on Trade and Development, the regional commissions and other programmes and activities at the regional and subregional levels.

### DRAFT RESOLUTION III

#### Particular problems facing Zaire with regard to transport, transit and access to foreign markets

The General Assembly,

Having considered the interim report of the Secretary-General on particular problems facing Zaire with regard to transport, transit and access to foreign markets, 31/

Recalling resolution 110 (V), adopted by the United Nations Conference on Trade and Development at its fifth session, held at Manila from 7 May to 3 June 1979, 32/

Recalling further its resolutions 32/160 of 19 December 1977, concerning the Transport and Communications Decade in Africa, and 34/193 of 19 December 1979, in which it requested the Secretary-General to take the necessary steps to accelerate the implementation of resolution 110 (V) of the United Nations Conference on Trade and Development and to report thereon to the General Assembly,

Regretting that the measures provided in resolution 34/193 have not been implemented,

Realizing the particular difficulties facing Zaire because of the problems encountered by its foreign trade with regard to transport, transit and access to foreign markets,

1. Takes note of the report of the Secretary-General on the implementation of General Assembly resolution 34/193 concerning particular problems facing Zaire with regard to transport, transit and access to foreign markets; 32/

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31/ A/35/512.

32/ See Proceedings of the United Nations Conference on Trade and Development, Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

2. Requests the Secretary-General to continue his efforts with a view to enabling the appropriate organs of the United Nations to provide the necessary technical assistance as soon as possible to the Government of Zaire and to report thereon to the General Assembly at its thirty-sixth session.

DRAFT RESOLUTION IV

United Nations Conference on Trade and Development

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

1. Takes note of the report of the Trade and Development Board on its eleventh special session and twentieth session 33/ and on its twenty-first session; 34/

2. Notes with satisfaction the adoption, on 27 June 1980, of the Agreement Establishing the Common Fund for Commodities 35/ and the pledges already announced for voluntary contributions to its Second Account, and urges all Governments to complete expeditiously the procedures required for its signature, ratification, acceptance or approval, so that it may enter into force as early as possible;

3. Also notes with satisfaction the adoption of the United Nations Convention on International Multimodal Transport and urges all Governments to consider signing the Convention and taking the necessary steps to become contracting parties to it as expeditiously as possible;

4. Welcomes Trade and Development Board resolution 222 (XXI) of 27 September 1980 on the debt and development problems of developing countries and urges all developed donor countries which have not done so to take the necessary steps to implement fully and immediately section A of Board resolution 165 (S-IX) of 11 March 1978, taking into account paragraph 5 thereof;

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33/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 15 (A/35/15), vol. I.

34/ Ibid., vol. II.

35/ TD/IPC/CF/CONF/24.



5. Takes note of the report of the Ad Hoc Intergovernmental High-Level Group of Experts on the Evolution of the International Monetary System, 36/ reaffirms the role of the United Nations Conference on Trade and Development in contributing to the efforts towards the evolution of the international monetary system, particularly regarding the interaction between that system and world trade and development, and urges those countries that did not participate in the work of the Group of Experts to do so in the future;

6. Notes with concern that the United Nations Conference on an International Code of Conduct on the Transfer of Technology did not complete its task at its third session, as called for by the General Assembly in resolution 34/195 of 19 December 1979, decides to convene a fourth session of the Conference from 23 March to 10 April 1981 and reiterates its call for the necessary political will and flexibility on the part of all Governments in order to reach agreement on the outstanding issues and to take all decisions necessary for the adoption of the international code of conduct on the transfer of technology, bearing in mind the interests and concerns of the developing countries;

7. Notes with satisfaction the adoption of the International Natural Rubber Agreement, 1979, and urges Governments that have signed it but have not yet completed the procedures required for ratification, acceptance or approval of the Agreement to do so as soon as possible, and Governments that have not yet signed the Agreement but wish to accede to it to do so without delay after its provisional entry into force, so that the Agreement may enter into force definitively at an early date.

#### DRAFT RESOLUTION V

##### Action programme in favour of developing island countries

The General Assembly,

Reiterating the programme of specific action in favour of developing island countries envisaged in resolution 98 (IV) of 31 May 1976 37/ and 111 (V) of 3 June 1979 38/ of the United Nations Conference on Trade and Development,

Recalling its resolutions 31/156 of 21 December 1976, 32/185 of 19 December 1977 and 34/205 of 19 December 1979 and other resolutions of the United Nations relating to the special needs and problems of developing island countries,

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36/ TD/B/823-TD/B/AC.32/2.

37/ See Proceedings of the United Nations Conference on Trade and Development, Fourth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

38/ Ibid., Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

Mindful that further specific action is needed to assist developing island countries - in particular those which suffer handicaps due especially to smallness, remoteness, constraints in transport and communications, great distances from market centres, highly limited internal markets, lack of marketing expertise, low resource endowment, lack of natural resources, heavy dependence on a few commodities for their foreign exchange earnings, shortage of administrative personnel and heavy financial burdens - in offsetting the major handicaps that they face in their development process,

Bearing in mind the goals and objectives of the International Development Strategy for the Third United Nations Development Decade, 39/

1. Notes with concern that very few significant initiatives have so far been taken for the implementation of the specific actions envisaged in resolutions 98 (IV) and 111 (V) of the United Nations Conference on Trade and Development;

2. Appeals to all States, international organizations and financial institutions to take urgent and effective action to implement specific actions in favour of developing island countries, as envisaged in resolutions 98 (IV) and 111 (V) of the United Nations Conference on Trade and Development as well as in other resolutions on this subject;

3. Invites the competent organs of the United Nations system to take further measures as necessary to enhance their capacity to respond positively to the specific needs of developing island countries during the Third United Nations Development Decade;

4. Decides to undertake at its thirty-seventh session a comprehensive review of the implementation of the measures taken by the international community in favour of the specific needs of the developing island countries, as called for in the relevant General Assembly and other resolutions on this subject.

#### DRAFT RESOLUTION VI

##### Reverse transfer of technology

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling also its resolutions 32/192 of 19 December 1977 and 33/151 of 20 December 1978, entitled "Reverse transfer of technology", as well as its resolution 34/200 of 19 December 1979 on development aspects of the reverse transfer of technology,

Noting the Economic Declaration adopted by the Sixth Conference of Heads of State or Government of Non-Aligned Countries held at Havana from 3 to 9 September 1979, 40/

Noting also the report of the United Nations Conference on Trade and Development on its fifth session, 41/ particularly resolution 102 (V) of 30 May 1979, 42/ the Vienna Programme of Action on Science and Technology for Development 43/ and the resolutions and decisions of the Trade and Development Board on the reverse transfer of technology, in particular decision 193 (XIX) of 20 October 1979 44/ and resolution 219 (XXI) of 27 September 1980, 45/

Noting further the proposals made by the Group of 77 in the Arusha Programme for Collective Self-Reliance and Framework for Negotiations, 46/ adopted by the Fourth Ministerial Meeting of the Group of 77, held at Arusha from 12 to 16 February 1979,

Expressing its concern regarding the adverse effects of the reverse transfer of technology on the capacity and potential of scientific and technological development in the developing countries and, thus, on their economic and social development,

Considering that the flow of skilled manpower from developing countries constitutes a reverse transfer of technology,

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40/ See A/34/542, annex, sect. IV.

41/ Proceedings of the United Nations Conference on Trade and Development, Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14).

42/ Ibid., part one, sect. A.

43/ Report of the United Nations Conference on Science and Technology for Development, Vienna, 20-31 August 1979 (United Nations publication, Sales No. E.79.I.21 and corrigenda), chap. VII.

44/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 15 (A/34/15 and Corr. 1), vol. II, part one, annex I.

45/ Ibid., Thirty-fifth Session, Supplement No. 15 (A/35/15), annex I.

46/ TD/236.

Aware that the search for solutions to the reverse transfer of technology, which has serious economic, political and social implications for developing countries, is an important concern of the international community in its efforts towards the establishment of a new international economic order,

Convinced that the United Nations system could play a role in the alleviation of the adverse effects of the reverse transfer of technology,

1. Takes note of the progress report entitled "Establishment of an international labour compensatory facility", 47/ prepared by the Secretary-General in accordance with paragraph 5 of General Assembly resolution 34/200, which is to be taken into account as a basis for the completion of the final report;

2. Reiterates its request to the Secretary-General to submit to the Assembly at its thirty-sixth session the final report on this issue, to be prepared in co-operation with the United Nations Conference on Trade and Development, the International Labour Organisation and other relevant United Nations organizations, and to keep under continued review the co-ordination of work on the question of the reverse transfer of technology;

3. Requests the Secretary-General of the United Nations Conference on Trade and Development to continue to keep under review, as necessary, the problem of the reverse transfer of technology;

4. Requests the Trade and Development Board, at its twenty-second session, to conclude the consideration of recommendations on appropriate arrangements as called for in Trade and Development Board resolution 219 (XXI), including the convening of a group of experts to examine the feasibility of measuring human resource flows, and to report thereon to the General Assembly at its thirty-sixth session.

#### DRAFT RESOLUTION VII

##### Restrictive business practices

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action for the Establishment of the New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling that the United Nations Conference on Restrictive Business Practices, convened by the General Assembly in its resolution 33/153 of 20 December 1978, held its first session from 19 November to 8 December 1979 and, in accordance with Assembly decision 34/447 of 19 December 1979, held a second session from 8 to 22 April 1980,

Noting with satisfaction that the Conference approved the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices and transmitted it to the General Assembly at its thirty-fifth session, 48/ having taken all the necessary decisions for its adoption as a resolution,

Noting that the United Nations Conference on Trade and Development, by resolution 103 (V) of 30 May 1979, 49/ requested the United Nations Conference on Restrictive Business Practices to make recommendations through the General Assembly to the Trade and Development Board with regard to the institutional aspects of future work on restrictive business practices within the framework of the United Nations Conference on Trade and Development, bearing in mind the work done in this field elsewhere in the United Nations,

1. Adopts the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, 50/ approved by the United Nations Conference on Restrictive Business Practices;

2. Decides to convene, in 1985, a United Nations conference, under the auspices of the United Nations Conference on Trade and Development, for the purpose of reviewing all aspects of the Set of Principles and Rules;

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46. The Second Committee also recommends to the General Assembly the adoption of the following draft decision:

Protectionism and structural adjustment

The General Assembly decides to transmit the draft resolution entitled "Protectionism and structural adjustment", set forth below, to the Assembly at its thirty-sixth session for its consideration, with a view to taking substantive action:

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48/ TD/RBP/CONF/10; transmitted to the members of the General Assembly by a note by the Secretariat (A/C.2/35/6).

49/ Proceedings of the United Nations Conference on Trade and Development, Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

50/ TD/RBP/CONF/10; transmitted to the members of the General Assembly at its thirty-fifth session by a note by the Secretary-General (A/C.2/35/6).

/...

"Protectionism and structural adjustment

"The General Assembly,

"Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action for the Establishment of the New International Economic Order, 3281 (XXIX) 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975, on development and international economic co-operation, 31/163 of 21 September 1976 and 33/196 of 29 January 1979,

"Affirming the relevant resolutions adopted by the United Nations Conference on Trade and Development, particularly resolution 96 (IV) of 31 May 1976 entitled "A set of interrelated and mutually supporting measures for expansion and diversification of exports of manufactures and semi-manufactures of developing countries,

"Recalling also resolution 131 (V), adopted by the United Nations Conference on Trade and Development on 3 June 1979, entitled "Protectionism and structural adjustment,

"Recognizing that international trade should play an essential role in economic growth and development, particularly that of developing countries, and that the expansion of international trade on an equitable basis should be beneficial to all countries,

"Noting with concern the increase in many developed countries of subsidies to inefficient and internationally less competitive lines of production which are of particular export interest to developing countries,

"Noting also that increasing domestic subsidies to agricultural productions in developed countries, a matter which is not sufficiently negotiated in the multilateral trade negotiations, disrupts international trade and seriously affects production in and export from developing countries,

"Recognizing also that a healthy world economy would require, inter alia, the establishment of long-term industrial structural adjustment policies and measures to facilitate a greater transfer of industrial capacities from developed to developing countries, in order to attain an equitable and effective international division of labour, as well as the promotion of a substantial increase in the share of developing countries in world industrial production and exports of manufactures and semi-manufactures, in the light of the targets set out in the Lima Declaration and Plan of Action on Industrial Development and Co-operation, 51/

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51/ See the report of the Second General Conference of the United Nations Industrial Development Organization (ID/CONF.3/31, chap. IV), transmitted to the Economic and Social Council under the symbol E/5696.

"Noting the deep concern of all countries about intensified protectionist pressures and that of the developing countries in particular about the serious consequences which the increase in recent years of protectionist measures in developed countries may have for them by affecting their exports, particularly in sectors in which the comparative advantage has shifted in their favour and opened up important perspectives for growth in their economies,

"Recognizing further that the current economic problems of developed countries cannot be solved by concealed or open protectionism and that trade-restrictive measures could touch off chain reactions involving a widening series of actions by an increasing number of countries,

"Noting with deep concern that such measures, by delaying the process of necessary structural change in the developed countries and consequently limiting the market access for agricultural, manufactured and semi-manufactured exports of developing countries, have adverse effects on the economies of developing countries,

"Realizing that increasing protectionist measures have, inter alia, aggravated inflation in the developed countries, which is, in turn, transferred to the developing countries,

"Emphasizing the importance of structural adjustment for the elimination of protectionism and for the promotion of greater international trade, taking into account the interests of developing countries and with a view to the early attainment of their development objectives,

"1. Urges developed countries to implement fully and to adhere strictly to the standstill provisions they have accepted by refraining from introducing new tariff and non-tariff barriers affecting the exports of developing countries and to reduce substantially tariff escalation so as to provide improved access to exports of manufactures, semi-manufactures and processed primary products from the developing countries;

"2. Calls upon developed countries to eliminate promptly their existing tariffs and non-tariff barriers, particularly quantitative restrictions and other measures having an equivalent effect on the exports of developing countries;

"3. Agrees that structural adjustment should be a constant and global process which the international community, in particular the developed countries, should facilitate by conscious efforts aimed at ensuring accelerated and sustained over-all growth of the developing countries, including the development and diversification of their economies and an effective international division of labour involving both interindustry and intra-industry specialization, enabling developing countries to secure an increase in their share of world trade, of processed goods and of manufacturing;

"4. Calls upon developed countries to implement long-term industrial structural adjustment policies with a view to facilitating the establishment of an equitable and effective international division of labour;

"5. Regrets that the Trade and Development Board, at its twenty-first session, was unable to make any headway in its follow-up action to section A, paragraph 2, of resolution 131 (V) of the United Nations Conference on Trade and Development and to Board resolution 217 (XX) of 25 March 1980 on the issues of protectionism and structural adjustment, and urges all countries, in particular developed countries, to exercise the necessary political will to enable those resolutions to be implemented;

"6. Calls upon States members of the United Nations Conference on Trade and Development to undertake sectoral reviews within the framework of the annual review referred to in resolution 131 (V) with a view to the effective and full implementation of section A, paragraph 3, of that resolution, and invites the Conference to formulate general recommendations on the basis of those reviews which national Governments would take into account in implementing section A, paragraph 3, of resolution 131 (V);

"7. Requests the United Nations Conference on Trade and Development to review continuously developments involving restrictions of trade affecting exports of developing countries with a view to examining and formulating appropriate recommendations, and to ensure that this comprehensive review also deals with the monitoring of the evolution of the industrial capacity in the developed countries in order to recommend the necessary measures that would avoid protectionist demands in those countries."

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