



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/35/735  
12 December 1980

ORIGINAL: ENGLISH

Thirty-fifth session  
Agenda item 111

CONSOLIDATION AND PROGRESSIVE DEVELOPMENT OF THE PRINCIPLES AND NORMS  
OF INTERNATIONAL ECONOMIC LAW RELATING IN PARTICULAR TO THE LEGAL  
ASPECTS OF THE NEW INTERNATIONAL ECONOMIC ORDER

Report of the Sixth Committee

Rapporteur: Mr. Wolfgang Hampe (German Democratic Republic)

1. The item entitled "Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order: report of the Secretary-General" was included in the provisional agenda of the thirty-fifth session of the General Assembly pursuant to Assembly resolution 34/150 of 17 December 1979.
2. On the recommendation of the General Committee, the General Assembly decided at its 3rd plenary meeting, on 19 September 1980, to include the item in its agenda and to allocate it to the Sixth Committee.
3. In connexion with the item, the Committee had before it the report of the Secretary-General (A/35/466) containing a preliminary study on the question and the views of Member States submitted pursuant to paragraph 2 of General Assembly resolution 34/150. The Committee had also before it a note verbale dated 20 October 1980 from the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/C.6/35/4).
4. The Committee considered the item at its 68th to 75th meetings, held between 1 and 5 December 1980. The summary records of those meetings (A/C.6/35/SR.68-75) contain the views of representatives who spoke during the consideration of the item.
5. At the 73rd meeting, on 4 December, the representative of the Philippines introduced a draft resolution (A/C.6/35/L.24), sponsored by Bolivia, Ecuador, Egypt, the Philippines, Romania and Sri Lanka, later joined by Bangladesh and Zaire, which read as follows:

"The General Assembly,

"Bearing in mind that, in accordance with the Charter of the United Nations, the General Assembly is called upon to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

"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 its resolution 34/150 of 17 December 1979 entitled, 'Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order',

"Noting the report of the Secretary-General and the views submitted by some Governments contained in document A/35/466, in response to its resolution 34/150,

"Recognizing the urgent need for a systematic and progressive development of the principles and norms of international economic law relating to the new international economic order,

"1. Requests the Secretary-General:

"(a) To prepare a list of the existing and evolving principles and norms of international economic law relating to the new international economic order concerning the economic relations among States, international organizations, other entities of public international law, and the activities of transnational corporations, as contained, inter alia, in the:

- "(i) Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV) of 24 October 1970);
- "(ii) Declaration and Programme of Action on the Establishment of a New International Economic Order (General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974);
- "(iii) Charter of Economic Rights and Duties of States (General Assembly resolution 3281 (XXIX) of 12 December 1974);
- "(iv) General Assembly resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation;

"(v) General Assembly resolution \_\_\_\_\_ of \_\_\_\_\_ 1980 on the International Development Strategy for the Third United Nations Development Decade;

"(vi) Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices; and

"(vii) Final Acts of the United Nations Conference on Trade and Development (sessions 1-5);

"(b) To prepare an analytical study, on the basis of the list referred to in subparagraph (a) above, on the progressive development of the principles and norms of international economic law relating to the new international economic order;

"2. Urges Member States, which have not done so, to submit their views on this question not later than 31 July 1981;

"3. Requests the United Nations Commission on International Trade Law, the United Nations Institute for Training and Research, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the regional economic commissions, the Centre on Transnational Corporations and other relevant intergovernmental and non-governmental organizations active in this field, as determined by the Secretary-General, to co-operate fully with him in the implementation of this resolution;

"4. Requests the Secretary-General to submit to the General Assembly at its thirty-sixth session, a report for its consideration on a priority basis, under an item to be included in its provisional agenda entitled 'Progressive development of the principles and norms of international economic law relating to the new international economic order'."

6. The Committee had before it a statement submitted by the Secretary-General (A/C.6/35/L.27) on the administrative and financial implications of draft resolution A/C.6/35/L.24.

7. At the 75th meeting, on 5 December, the representative of the Philippines, on behalf of the sponsors, introduced oral revisions to draft resolution A/C.6/35/L.24, as follows:

(a) In the fifth preambular paragraph, the word "economic" after the words "norms of international" in the second line was deleted;

(b) In operative paragraph 1, the word "Secretary-General" was replaced by "United Nations Institute for Training and Research";

(c) In subparagraph 1 (a), the word "economic" after the words "norms of international" in the second line was deleted;

(d) In subparagraph 1 (a) (vii), a semi-colon was deleted and substituted by a comma at the end of the sentence, and the words "as well as the declarations adopted by all United Nations Conferences relevant to the new international economic order", were added;

(e) In subparagraph 1 (b), the word "economic" after the words "norms of international" in the third line was deleted;

(f) A new subparagraph 1 (c) was added, which reads as follows:

"To complete the study referred to in subparagraphs (a) and (b) above in time for the Secretary-General to submit it to the General Assembly at its thirty-sixth session";

(g) In operative paragraph 2 the words "which have not done so, to submit their views on this question" were replaced by the words "to submit relevant information with respect to the study";

(h) In operative paragraph 3, the words "the United Nations Institute for Training and Research" in the first and second lines were deleted, the words "Secretary-General" in the sixth line were replaced by the words "United Nations Institute for Training and Research", and the words "submit relevant information and to" were added between the words "to" and "co-operate fully" in the sixth line; and the word "him" was replaced by the words "United Nations Institute for Training and Research" in the same line of operative paragraph 3;

(i) In operative paragraph 4, the words "on the study made by the United Nations Institute for Training and Research" were inserted between the words "a report" and "for its consideration" in the second line, and the word "economic" after the words "norms of international" was deleted in the fourth line.

8. At the same meeting, the Committee adopted draft resolution A/C.6/35/L.24, as orally revised, by a recorded vote of 92 to 6, with 16 abstentions. The vote was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Benin, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Suriname, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Belgium, France, Germany, Federal Republic of, Luxembourg, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstentions: Australia, Austria, Canada, Denmark, Finland, Greece, Ireland, Italy, Japan, New Zealand, Norway, Papua New Guinea, Portugal, Spain, Sweden, Turkey.

9. Statements in explanation of vote after the vote were made by the representatives of France, the German Democratic Republic (also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics), Italy, the United States of America, Canada, the United Kingdom of Great Britain and Northern Ireland, New Zealand, Yugoslavia and Australia.

#### RECOMMENDATIONS OF THE SIXTH COMMITTEE

10. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order

The General Assembly,

Bearing in mind that, in accordance with the Charter of the United Nations, the General Assembly is called upon to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

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 its resolution 34/150 of 17 December 1979 entitled, "Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order",

Noting the report of the Secretary-General 1/ and the views submitted by some Governments in response to its resolution 34/150,

Recognizing the urgent need for a systematic and progressive development of the principles and norms of international law relating to the new international economic order,

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1/ A/35/466.

1. Requests the United Nations Institute for Training and Research:

(a) To prepare a list of the existing and evolving principles and norms of international law relating to the new international economic order concerning the economic relations among States, international organizations, other entities of public international law, and the activities of transnational corporations, as contained, inter alia, in the:

- (i) Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV) of 24 October 1970);
- (ii) Declaration and Programme of Action on the Establishment of a New International Economic Order (General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974);
- (iii) Charter of Economic Rights and Duties of States (General Assembly resolution 3281 (XXIX) of 12 December 1974);
- (iv) General Assembly resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation;
- (v) General Assembly resolution \_\_\_\_\_ of \_\_\_\_\_ 1980 on the International Development Strategy for the Third United Nations Development Decade;
- (vi) Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices; 2/
- (vii) Final Acts of the United Nations Conference on Trade and Development, 3/ as well as the declarations adopted by all United Nations conferences relevant to the new international economic order;

(b) To prepare an analytical study, on the basis of the list referred to in subparagraph (a) above, on the progressive development of the principles and norms of international law relating to the new international economic order;

(c) To complete the study referred to in subparagraphs (a) and (b) above in time for the Secretary-General to submit it to the General Assembly at its thirty-sixth session;

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2/ TD/RBP/CONF/10.

3/ Proceedings of the United Nations Conference on Trade and Development, vol. I, Final Act and Report (United Nations publication, Sales No. 64.II.B.11); ibid., Second Session, vol. I and Corr.1 and 3 and Add.1-2, Report and Annexes (United Nations publication, Sales No. E.68.II.D.14); ibid., Third Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.73.II.D.4); ibid., Fourth Session, vol. I and Corr.1, Report and Annexes (United Nations publication, Sales No. E.76.II.D.10); and ibid., Fifth Session, vol. I, Report and Annexes (United Nations publication, Sales No. E.79.II.D.14).

2. Urges Member States to submit relevant information with respect to the study not later than 31 July 1981;
  3. Requests the United Nations Commission on International Trade Law, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the regional commissions, the Centre on Transnational Corporations and other relevant intergovernmental and non-governmental organizations active in this field, as determined by the United Nations Institute for Training and Research, to submit relevant information and to co-operate fully with the Institute in the implementation of the present resolution;
  4. Requests the Secretary-General to submit to the General Assembly at its thirty-sixth session a report on the study made by the United Nations Institute for Training and Research for its consideration on a priority basis, under an item to be included in its provisional agenda entitled "Progressive development of the principles and norms of international law relating to the new international economic order".
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