

**RESOLUTIONS**  
and  
**DECISIONS**

adopted by the General Assembly  
during its  
**THIRTY-EIGHTH SESSION**

---

20 September-20 December 1983  
and 26 June 1984

**GENERAL ASSEMBLY**

OFFICIAL RECORDS: THIRTY-EIGHTH SESSION

SUPPLEMENT No. 47 (A/38/47)



**UNITED NATIONS**

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**UNITED NATIONS**

New York, 1984

## NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The resolutions and decisions of the General Assembly are identified as follows:

### Regular sessions

Until the thirtieth regular session, the resolutions of the General Assembly were identified by an arabic numeral followed by a roman numeral in parentheses indicating the session (for example: resolution 3363 (XXX)). When several resolutions were adopted under the same number, each of them was identified by a capital letter placed between the two numerals (for example: resolution 3367 A (XXX), resolutions 3411 A and B (XXX), resolutions 3419 A to D (XXX)). The decisions were not numbered.

Since the thirty-first session, as part of the new system adopted for symbols of General Assembly documents, resolutions and decisions have been identified by an arabic numeral, indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution 31/1, decision 31/301). When several resolutions or decisions were adopted under the same number, each of them has been identified by a capital letter placed after the two numerals (for example: resolution 31/16 A, resolutions 31/6 A and B, decisions 31/406 A to E).

### Special sessions

Until the seventh special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letter "S" and a roman numeral indicating the session (for example: resolution 3362 (S-VII)). The decisions were not numbered.

Since the eighth special session, resolutions and decisions have been identified by the letter "S" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution S-8/1, decision S-8/11).

### Emergency special sessions

Until the fifth emergency special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letters "ES" and a roman numeral indicating the session (for example: resolution 2252 (ES-V)). The decisions were not numbered.

Since the sixth emergency special session, resolutions and decisions have been identified by the letters "ES" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution ES-6/1, decision ES-6/11).

In each of the series described above, the numbering follows the order of adoption.

\*

\* \* \*

The present volume contains the resolutions and decisions adopted by the General Assembly from 20 September to 20 December 1983 and on 26 June 1984. Any further resolutions or decisions which the Assembly may adopt at its thirty-eighth session will appear in an addendum to the present volume.

In addition to the text of the resolutions and decisions adopted by the General Assembly from 20 September to 20 December 1983 and on 26 June 1984, the present volume contains a list indicating the allocation of agenda items (sect. I), a list of principal and subsidiary organs with a reference to their composition (annex I), a list of conventions, declarations and other instruments (annex II), an index (annex III) and a check list of resolutions and decisions (annex IV).

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## I. ALLOCATION OF AGENDA ITEMS<sup>1</sup>

### Plenary meetings

1. Opening of the session by the Chairman of the delegation of Hungary (item 1).
2. Minute of silent prayer or meditation (item 2).
3. Credentials of representatives to the thirty-eighth session of the General Assembly (item 3):
  - (a) Appointment of the members of the Credentials Committee;
  - (b) Report of the Credentials Committee.
4. Election of the President of the General Assembly (item 4).
5. Election of the officers of the Main Committees (item 5).
6. Election of the Vice-Presidents of the General Assembly (item 6).
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations (item 7).
8. Adoption of the agenda and organization of work: reports of the General Committee (item 8).
9. General debate (item 9).
10. Report of the Secretary-General on the work of the Organization (item 10).
11. Report of the Security Council (item 11).
12. Report of the Economic and Social Council (item 12):
  - (a) Report of the Council (chapters I, VI (sections B and E), VIII and IX (sections A to C));<sup>2</sup>
  - (b) Reports of the Secretary-General.
13. Report of the International Court of Justice (item 13).
14. Report of the International Atomic Energy Agency (item 14).<sup>3</sup>
15. Elections to fill vacancies in principal organs (item 15):
  - (a) Election of five non-permanent members of the Security Council;
  - (b) Election of eighteen members of the Economic and Social Council.
16. Elections to fill vacancies in subsidiary organs (item 16):
  - (a) Election of fifteen members of the Industrial Development Board;
  - (b) Election of nineteen members of the Governing Council of the United Nations Environment Programme;
  - (c) Election of twelve members of the World Food Council;
  - (d) Election of seven members of the Committee for Programme and Co-ordination;
  - (e) Election of the members of the Board of Governors of the United Nations Special Fund for Land-locked Developing Countries.
17. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):<sup>4</sup>
  - (f) Confirmation of the appointment of the Administrator of the United Nations Development Programme;
  - (g) Appointment of the United Nations Commissioner for Namibia;

<sup>1</sup> At its 3rd, 4th, 21st, 28th, 32nd, 41st and 96th plenary meetings, on 23 September, 6, 11 and 13 October, 1 November and 14 December 1983, the General Assembly adopted the agenda and the allocation of agenda items for its thirty-eighth session (see sect. X.B.1, decision 38/402). Unless otherwise indicated, all the items formed part of the agenda and of the allocation of agenda items recommended by the General Committee in its first report (A/38/250, paras. 19-27) and adopted by the Assembly at its 3rd and 4th plenary meetings. The General Committee made no recommendation regarding the allocation of item 41 (Question of Cyprus); see also sect. X.B.1, decision 38/456. For the numerical list of agenda items, see annex III.

<sup>2</sup> For chapter I, see also "Second Committee", item 1, "Third Committee", item 1, "Fourth Committee", item 4, and "Fifth Committee", item 14; for chapter VI (section B), see also "Second Committee" and "Fifth Committee"; for chapter VI (section E), see also "Second Committee" and "Fourth Committee"; and for chapter VIII, see also "Second Committee", "Third Committee" and "Fifth Committee".

<sup>3</sup> At its 4th plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/38/250, para. 26 (b) (i)), decided that the relevant paragraphs of the report of the International Atomic Energy Agency for 1982 (see A/38/346 and Corr.1) would be drawn to the attention of the First Committee in connection with its consideration of agenda item 62.

<sup>4</sup> For subitems (a) to (e) and (i), see "Fifth Committee", item 15.

- (h) Confirmation of the appointment of the Executive Director of the United Nations Special Fund for Land-locked Developing Countries.
18. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18):<sup>5</sup>
    - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
    - (b) Report of the Secretary-General.
  19. Admission of new Members to the United Nations (item 19).
  20. Return or restitution of cultural property to the countries of origin: report of the Secretary-General (item 20).
  21. Thirty-five years of the Universal Declaration of Human Rights: international co-operation for the promotion and observance of civil, political, economic, social and cultural rights (item 21).
  22. Co-operation between the United Nations and the Organization of the Islamic Conference: report of the Secretary-General (item 22).
  23. The situation in Kampuchea: report of the Secretary-General (item 23).
  24. Co-operation between the United Nations and the Asian-African Legal Consultative Committee: report of the Secretary-General (item 24).
  25. Question of the Falkland Islands (Malvinas): report of the Secretary-General (item 25).<sup>6</sup>
  26. Co-operation between the United Nations and the Organization of African Unity: report of the Secretary-General (item 26).
  27. Co-operation between the United Nations and the League of Arab States: report of the Secretary-General (item 27).
  28. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security: report of the Secretary-General (item 28).
  29. The situation in Afghanistan and its implications for international peace and security: report of the Secretary-General (item 29).
  30. Question of the Comorian island of Mayotte: report of the Secretary-General (item 30).
  31. Third United Nations Conference on the Law of the Sea: report of the Secretary-General (item 31).
  32. Policies of *apartheid* of the Government of South Africa (item 32):<sup>7</sup>
    - (a) Report of the Special Committee against *Apartheid*;
    - (b) Report of the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports;
    - (c) Report of the Secretary-General.
  33. Question of Palestine (item 33):
    - (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;
    - (b) Report of the International Conference on the Question of Palestine;
    - (c) Reports of the Secretary-General.
  34. The situation in the Middle East: reports of the Secretary-General (item 34).
  35. United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy: report of the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy (item 35).

<sup>5</sup> At its 4th plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/38/250, para. 26 (a) (i)), decided to refer to the Fourth Committee all the chapters of the report of the Special Committee (A/38/23/Rev.1) relating to specific Territories so that the Assembly might deal in plenary meeting with the question of the implementation of the Declaration as a whole.

<sup>6</sup> At its 4th plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/38/250, para. 26 (a) (ii)), decided to consider this item directly in plenary meeting on the understanding that the hearings of the organizations and individuals having an interest in the question would be held in the Fourth Committee in conjunction with the consideration of the item in plenary meeting.

<sup>7</sup> At its 4th plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/38/250, para. 26 (a) (iii)), decided to consider this item directly in plenary meeting, on the understanding that the representatives of the Organization of African Unity and of national liberation movements recognized by that organization would be permitted to participate in the discussion in plenary meeting and that organizations and individuals having a special interest in the question would be permitted to be heard by the Special Political Committee.



36. Question of Namibia (item 36):<sup>\*</sup>
  - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
  - (b) Report of the United Nations Council for Namibia;
  - (c) International Conference in Support of the Struggle of the Namibian People for Independence: report of the Conference;
  - (d) Report of the Secretary-General.
37. Question of peace, stability and co-operation in South-East Asia (item 37).
38. Launching of global negotiations on international economic co-operation for development (item 38).
39. Question of equitable representation on and increase in the membership of the Security Council (item 39).
40. Observance of the quincentenary of the discovery of America (item 40).
41. Implementation of the resolutions of the United Nations (item 42).
42. Consequences of the prolongation of the armed conflict between Iran and Iraq (item 138).
43. The situation in Central America: threats to international peace and security and peace initiatives (item 142).<sup>9</sup>
44. The situation in Grenada (item 145).<sup>10</sup>
45. Commemoration of the fortieth anniversary of the United Nations in 1985 (item 146).<sup>11</sup>

### First Committee

#### (DISARMAMENT AND RELATED INTERNATIONAL SECURITY QUESTIONS)

1. Implementation of General Assembly resolution 37/71 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) (item 43).
2. Cessation of all test explosions of nuclear weapons: report of the Committee on Disarmament (item 44).
3. Urgent need for a comprehensive nuclear-test-ban treaty: report of the Committee on Disarmament (item 45).
4. Implementation of the Declaration on the Denuclearization of Africa: report of the Secretary-General (item 46).
5. Establishment of a nuclear-weapon-free zone in the region of the Middle East: report of the Secretary-General (item 47).
6. Establishment of a nuclear-weapon-free zone in South Asia: report of the Secretary-General (item 48).
7. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Committee on Disarmament (item 49).
8. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session (item 50):
  - (a) Report of the Disarmament Commission;
  - (b) Report of the Committee on Disarmament;
  - (c) Bilateral nuclear-arms negotiations;
  - (d) Cessation of the nuclear-arms race and nuclear disarmament: report of the Committee on Disarmament;

<sup>\*</sup> At its 4th plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/38/250, para. 26 (a) (iv)), decided to consider this item directly in plenary meeting, on the understanding that hearings of the organizations concerned would be held in the Fourth Committee.

<sup>9</sup> At its 21st and 32nd plenary meetings, on 6 and 13 October 1983, the General Assembly, on the recommendations of the General Committee as set forth in its second (A/38/250/Add.1, para. 2 (a)) and fourth (A/38/250/Add.3, para. 2) reports, decided to include this item in its agenda and to consider it directly in plenary meeting.

<sup>10</sup> At its 41st plenary meeting, on 1 November 1983, the General Assembly, on the recommendation of the General Committee as set forth in its fifth report (A/38/250/Add.4, para. 2), decided to include this item in its agenda and to consider it directly in plenary meeting.

<sup>11</sup> At its 96th plenary meeting, on 14 December 1983, the General Assembly, on the recommendation of the General Committee as set forth in its sixth report (A/38/250/Add.5, para. 2), decided to include this item in its agenda and to consider it directly in plenary meeting.

- (e) Disarmament Week: reports of the Secretary-General;
  - (f) Prohibition of the nuclear neutron weapon: report of the Committee on Disarmament;
  - (g) Implementation of the recommendations and decisions of the tenth special session:
    - (i) Report of the Disarmament Commission;
    - (ii) Report of the Committee on Disarmament;
  - (h) Prevention of nuclear war: report of the Committee on Disarmament;
  - (i) Proposal for the establishment of an international satellite monitoring agency: report of the Secretary-General;
  - (j) Advisory Board on Disarmament Studies: report of the Secretary-General.
9. United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects: report of the Secretary-General (item 51).
  10. Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Committee on Disarmament (item 52).
  11. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Committee on Disarmament (item 53).
  12. Israeli nuclear armament: report of the Secretary-General (item 54).
  13. Prevention of an arms race in outer space: report of the Committee on Disarmament (item 55).
  14. Relationship between disarmament and development: report of the Secretary-General (item 56).
  15. Immediate cessation and prohibition of nuclear-weapon tests: report of the Committee on Disarmament (item 57).
  16. Reduction of military budgets (item 58):
    - (a) Report of the Disarmament Commission;
    - (b) Report of the Secretary-General.
  17. Implementation of the Declaration of the Indian Ocean as a Zone of Peace: report of the *Ad Hoc* Committee on the Indian Ocean (item 59).
  18. World Disarmament Conference: report of the *Ad Hoc* Committee on the World Disarmament Conference (item 60).
  19. Chemical and bacteriological (biological) weapons (item 61):
    - (a) Report of the Committee on Disarmament;
    - (b) Report of the Secretary-General.
  20. General and complete disarmament (item 62):<sup>1</sup>
    - (a) Report of the Disarmament Commission;
    - (b) Report of the Committee on Disarmament;
    - (c) Study on conventional disarmament: report of the Secretary-General;
    - (d) Non-stationing of nuclear weapons on the territories of States where there are no such weapons at present: report of the Committee on Disarmament;
    - (e) Independent Commission on Disarmament and Security Issues: report of the Disarmament Commission;
    - (f) Prohibition of the development, production, stockpiling and use of radiological weapons: report of the Committee on Disarmament;
    - (g) Prevention of an arms race in outer space and prohibition of anti-satellite systems: report of the Committee on Disarmament;
    - (h) Prohibition of the production of fissionable material for weapons purposes: report of the Committee on Disarmament;
    - (i) Measures to provide objective information on military capabilities: report of the Secretary-General;
    - (j) Institutional arrangements relating to the process of disarmament:
      - (i) Report of the Committee on Disarmament;
      - (ii) Report of the Secretary-General;
      - (iii) Report of the Director of the United Nations Institute for Disarmament Research.
  21. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly (item 63):
    - (a) Freeze on nuclear weapons;
    - (b) Implementation of General Assembly resolution 37/100 B on a nuclear-arms freeze;

- (c) Convention on the Prohibition of the Use of Nuclear Weapons: report of the Committee on Disarmament;
  - (d) Consideration of guidelines for confidence-building measures: report of the Disarmament Commission;
  - (e) Regional disarmament: report of the Secretary-General;
  - (f) United Nations programme of fellowships on disarmament: report of the Secretary-General;
  - (g) World Disarmament Campaign: report of the Secretary-General.
22. Strengthening of security and co-operation in the Mediterranean region: report of the Secretary-General (item 65).
  23. Review of the implementation of the Declaration on the Strengthening of International Security: report of the Security Council (item 66).
  24. Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security: report of the Security Council (item 67).
  25. Implementation of the conclusions of the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and establishment of a preparatory committee for the Third Review Conference (item 139).
  26. Question of Antarctica (item 140).
  27. Conclusion of a treaty on the prohibition of the use of force in outer space and from space against the Earth (item 141).
  28. Condemnation of nuclear war (item 143).<sup>12</sup>
  29. Nuclear-weapon freeze (item 144).<sup>12</sup>

#### Special Political Committee

1. Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (item 68).
2. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories: reports of the Secretary-General (item 69).
3. International co-operation in the peaceful uses of outer space (item 70):
  - (a) Report of the Committee on the Peaceful Uses of Outer Space;
  - (b) Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space: report of the Secretary-General.
4. Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (item 71).
5. Questions relating to information (item 72):
  - (a) Report of the Committee on Information;
  - (b) Report of the Secretary-General;
  - (c) Report of the Director-General of the United Nations Educational, Scientific and Cultural Organization.
6. United Nations Relief and Works Agency for Palestine Refugees in the Near East (item 73):
  - (a) Report of the Commissioner-General;
  - (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
  - (c) Report of the United Nations Conciliation Commission for Palestine;
  - (d) Report of the Joint Inspection Unit;
  - (e) Reports of the Secretary-General.
7. International co-operation to avert new flows of refugees: report of the Secretary-General (item 74).
8. Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea: report of the Secretary-General (item 75).
9. Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India (item 76).

<sup>12</sup> At its 28th plenary meeting, on 11 October 1983, the General Assembly, on the recommendation of the General Committee as set forth in its third report (A/38/250/Add.2), decided to include this item in its agenda and to allocate it to the First Committee.

10. Question of the composition of the relevant organs of the United Nations (item 77).
11. Policies of *apartheid* of the Government of South Africa (item 32):<sup>7</sup>
  - (a) Report of the Special Committee against *Apartheid*;
  - (b) Report of the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports;
  - (c) Report of the Secretary-General.

## Second Committee

### (ECONOMIC AND FINANCIAL QUESTIONS)

1. Report of the Economic and Social Council (item 12):
  - (a) Report of the Council (chapters I, II, III (sections D, E and G), IV, VI (sections A, B, D and E), VIII and IX (sections F to H));<sup>13</sup>
  - (b) Reports of the Secretary-General.<sup>14</sup>
2. Development and international economic co-operation (item 78):
  - (a) International Development Strategy for the Third United Nations Development Decade;
  - (b) Trade and development:
    - (i) Report of the United Nations Conference on Trade and Development on its sixth session;
    - (ii) Report of the Trade and Development Board;
    - (iii) Report of the Secretary-General;
    - (iv) Reports of the Secretary-General of the United Nations Conference on Trade and Development;
  - (c) Industrialization: report of the Industrial Development Board;
  - (d) Science and technology for development: report of the Intergovernmental Committee on Science and Technology for Development;
  - (e) Food problems:
    - (i) Report of the World Food Council;
    - (ii) Reports of the Secretary-General;
  - (f) Economic and technical co-operation among developing countries:
    - (i) Report of the High-level Committee on the Review of Technical Co-operation among Developing Countries;
    - (ii) Report of the Secretary-General;
  - (g) Environment:
    - (i) Report of the Governing Council of the United Nations Environment Programme;
    - (ii) Reports of the Secretary-General;
  - (h) Human settlements:
    - (i) Report of the Commission on Human Settlements;
    - (ii) Reports of the Secretary-General;
  - (i) International Year of Shelter for the Homeless: report of the Secretary-General;
  - (j) Effective mobilization and integration of women in development;<sup>15</sup>
  - (k) United Nations Special Fund;
  - (l) New and renewable sources of energy:
    - (i) Report of the Committee on the Development and Utilization of New and Renewable Sources of Energy;
    - (ii) Report of the Secretary-General;

<sup>13</sup> For chapter I, see also "Plenary meetings", item 12, "Third Committee", item 1, "Fourth Committee", item 4, and "Fifth Committee", item 14; for chapter II, see also "Third Committee"; for chapters III (section D), IV (sections A to E and G to O), VI (section D) and IX (section H), see also "Fifth Committee"; for chapters IV (section F) and VI (section A), see also "Third Committee" and "Fifth Committee"; for chapter VI (section B), see also "Plenary meetings" and "Fifth Committee"; for chapter VI (section E), see also "Plenary meetings" and "Fourth Committee"; and for chapter VIII, see also "Plenary meetings", "Third Committee" and "Fifth Committee".

<sup>14</sup> At its 4th plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/38/250, para. 26 (d)), decided that the report of the Secretary-General on the exchange of information on banned hazardous chemicals and unsafe pharmaceutical products (A/38/190-E/1983/67), called for under resolution 36/166 adopted on the recommendation of the Third Committee, should be referred to the Second Committee.

<sup>15</sup> At its 4th plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/38/250, para. 26 (c)), decided that documents concerning the integration of women in development would be made available to the Third Committee under item 91.

- (m) Implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries: report of the Secretary-General;
- (n) New international human order: moral aspects of development.
- 3. Operational activities for development (item 79):
  - (a) Operational activities of the United Nations system: report of the Secretary-General;
  - (b) United Nations Development Programme;
  - (c) United Nations Capital Development Fund;
  - (d) United Nations Fund for Population Activities;
  - (e) United Nations Volunteers programme;
  - (f) United Nations Special Fund for Land-locked Developing Countries: report of the Secretary-General;
  - (g) United Nations Children's Fund;
  - (h) World Food Programme;
  - (i) Technical co-operation activities undertaken by the Secretary-General.
- 4. Training and research (item 80):
  - (a) United Nations Institute for Training and Research:
    - (i) Report of the Executive Director;
    - (ii) Report of the Secretary-General;
  - (b) United Nations University: report of the Council of the United Nations University;
  - (c) Unified approach to development analysis and planning: report of the Secretary-General.
- 5. Special economic and disaster relief assistance (item 81):
  - (a) Office of the United Nations Disaster Relief Co-ordinator: reports of the Secretary-General;
  - (b) Special programmes of economic assistance;
  - (c) Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region: report of the Secretary-General.

### Third Committee

(SOCIAL, HUMANITARIAN AND CULTURAL QUESTIONS)

- 1. Report of the Economic and Social Council (item 12):
  - (a) Report of the Council (chapters I, II, III (sections A to C and F), IV (section F), V, VI (section A), VII, VIII and IX (sections D, E, I and J));<sup>16</sup>
  - (b) Reports of the Secretary-General.<sup>17</sup>
- 2. Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination: report of the Secretary-General (item 82).
- 3. Second World Conference to Combat Racism and Racial Discrimination: report of the Secretary-General (item 83).
- 4. International Youth Year: Participation, Development, Peace: report of the Secretary-General (item 84).
- 5. World social situation (item 85):
  - (a) Implementation of General Assembly resolution 37/54;
  - (b) National experience in achieving far-reaching social and economic changes for the purpose of social progress: reports of the Secretary-General;
  - (c) Popular participation in its various forms as an important factor in development and in the realization of human rights: report of the Secretary-General.
- 6. Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights: report of the Secretary-General (item 86).

<sup>16</sup> For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Fourth Committee", item 4, and "Fifth Committee", item 14; for chapter II, see also "Second Committee"; for chapters IV (section F) and VI (section A), see also "Second Committee" and "Fifth Committee"; for chapters V and IX (section D), see also "Fifth Committee"; and for chapter VIII, see also "Plenary meetings", "Second Committee" and "Fifth Committee".

7. Elimination of all forms of racial discrimination (item 87):
  - (a) Report of the Committee on the Elimination of Racial Discrimination:
    - (i) Report of the Committee;
    - (ii) Report of the Secretary-General;
  - (b) Status of the International Convention on the Elimination of All Forms of Racial Discrimination: report of the Secretary-General;
  - (c) Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*: report of the Secretary-General.
8. Policies and programmes relating to youth: report of the Secretary-General (item 88).
9. Question of aging: report of the Secretary-General (item 89).
10. World Programme of Action concerning Disabled Persons: report of the Secretary-General (item 90).
11. United Nations Decade for Women: Equality, Development and Peace (item 91):<sup>15</sup>
  - (a) Implementation of the Programme of Action for the Second Half of the United Nations Decade for Women: reports of the Secretary-General;
  - (b) Preparations for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women;
  - (c) International Research and Training Institute for the Advancement of Women: report of the Secretary-General;
  - (d) Voluntary Fund for the United Nations Decade for Women: report of the Secretary-General.
12. Elimination of all forms of discrimination against women (item 92):
  - (a) Report of the Committee on the Elimination of Discrimination against Women;
  - (b) Status of the Convention on the Elimination of All Forms of Discrimination against Women: report of the Secretary-General.
13. Elimination of all forms of religious intolerance (item 93).
14. Human rights and scientific and technological developments (item 94).
15. Question of a convention on the rights of the child (item 95).
16. International Covenants on Human Rights (item 96):
  - (a) Report of the Human Rights Committee;
  - (b) Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights: report of the Secretary-General.
17. Torture and other cruel, inhuman or degrading treatment or punishment (item 97).
18. Office of the United Nations High Commissioner for Refugees (item 98):
  - (a) Report of the High Commissioner;
  - (b) Assistance to refugees in Africa: report of the Secretary-General.
19. International campaign against traffic in drugs: report of the Secretary-General (item 99).
20. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms (item 100):
  - (a) Study on international conditions and human rights: report of the Secretary-General;
  - (b) National institutions for the promotion and protection of human rights: report of the Secretary-General.
21. New international humanitarian order: report of the Secretary-General (item 101).

#### Fourth Committee

##### (QUESTIONS RELATING TO NON-SELF-GOVERNING TERRITORIES)

1. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (item 102):
  - (a) Report of the Secretary-General;
  - (b) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

2. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 103).
3. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (item 104):
  - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
  - (b) Report of the Secretary-General.
4. Report of the Economic and Social Council (chapters I and VI (section E)) (item 12).<sup>17</sup>
5. United Nations Educational and Training Programme for Southern Africa: report of the Secretary-General (item 105).
6. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General (item 106).
7. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18):<sup>5</sup>
  - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
  - (b) Report of the Secretary-General.
8. Question of the Falkland Islands (Malvinas): report of the Secretary-General (item 25).<sup>6</sup>
9. Question of Namibia (item 36):<sup>8</sup>
  - (a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;
  - (b) Report of the United Nations Council for Namibia;
  - (c) International Conference in Support of the Struggle of the Namibian People for Independence: report of the Conference;
  - (d) Report of the Secretary-General.

### Fifth Committee

#### (ADMINISTRATIVE AND BUDGETARY QUESTIONS)

1. Financial reports and audited financial statements, and reports of the Board of Auditors (item 107):
  - (a) United Nations Development Programme;
  - (b) United Nations Children's Fund;
  - (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
  - (d) United Nations Institute for Training and Research;
  - (e) Voluntary funds administered by the United Nations High Commissioner for Refugees;
  - (f) United Nations Fund for Population Activities.
2. Programme budget for the biennium 1982-1983 (item 108).
3. Proposed programme budget for the biennium 1984-1985 (item 109).
4. Programme planning (item 110):
  - (a) Report of the Committee for Programme and Co-ordination;
  - (b) Reports of the Secretary-General.
5. Financial emergency of the United Nations (item 111):
  - (a) Report of the Negotiating Committee on the Financial Emergency of the United Nations;
  - (b) Report of the Secretary-General.

<sup>17</sup> For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Third Committee", item 1, and "Fifth Committee", item 14; and for chapter VI (section E), see also "Plenary meetings" and "Second Committee".

6. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency (item 112):
  - (a) Report of the Advisory Committee on Administrative and Budgetary Questions;
  - (b) Feasibility of establishing a single administrative tribunal: report of the Secretary-General.
7. Joint Inspection Unit: reports of the Joint Inspection Unit (item 113).<sup>18</sup>
8. Pattern of conferences (item 114):
  - (a) Report of the Committee on Conferences;
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9. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (item 115).
10. Personnel questions (item 116):
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11. United Nations common system: report of the International Civil Service Commission (item 117).
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13. Financing of the United Nations peace-keeping forces in the Middle East (item 119):
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  - (b) United Nations Interim Force in Lebanon: report of the Secretary-General.
14. Report of the Economic and Social Council (chapters I, III (section D), IV, V, VI (sections A to D and F), VIII and IX (sections D, H, K and L)) (item 12).<sup>19</sup>
15. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):<sup>20</sup>
  - (a) Appointment of six members of the Advisory Committee on Administrative and Budgetary Questions;
  - (b) Appointment of six members of the Committee on Contributions;
  - (c) Appointment of a member of the Board of Auditors;
  - (d) Confirmation of the appointment of three members of the Investments Committee;
  - (e) Appointment of two members of the United Nations Administrative Tribunal;
  - (i) Appointment of a member of the International Civil Service Commission.<sup>21</sup>

### Sixth Committee

#### (LEGAL QUESTIONS)

1. Consideration of the draft articles on most-favoured-nation clauses: report of the Secretary-General (item 120).
2. Progressive development of the principles and norms of international law relating to the new international economic order: report of the Secretary-General (item 121).
3. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law: report of the Secretary-General (item 122).

<sup>18</sup> At its 4th plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/38/250, para. 26 (e)), decided to allocate the item to the Fifth Committee, on the understanding that the reports of the Joint Inspection Unit dealing with subject-matters assigned to other Main Committees would be referred also to those Committees.

<sup>19</sup> For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Third Committee", item 1, and "Fourth Committee", item 4; for chapters III (section D), IV (sections A to E and G to O), VI (section D) and IX (section H), see also "Second Committee"; for chapters IV (section F) and VI (section A), see also "Second Committee" and "Third Committee"; for chapters V and IX (section D), see also "Third Committee"; for chapter VI (section B), see also "Plenary meetings" and "Second Committee"; and for chapter VIII, see also "Plenary meetings", "Second Committee" and "Third Committee".

<sup>20</sup> For subitems (f) to (h), see "Plenary meetings", item 17.

<sup>21</sup> At its 21st plenary meeting, on 6 October 1983, the General Assembly, on the recommendation of the General Committee as set forth in its second report (A/38/250/Add.1, para. 1), decided to include this item in its agenda as subitem 17 (i) and to allocate it to the Fifth Committee.



4. Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes: report of the Secretary-General (item 123).
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6. Draft Code of Offences against the Peace and Security of Mankind (item 125).
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8. Report of the United Nations Commission on International Trade Law on the work of its sixteenth session (item 127).
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10. Report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries (item 129).
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### 38/1. Admission of Saint Christopher and Nevis to membership in the United Nations

*The General Assembly,*

*Having received* the recommendation of the Security Council of 22 September 1983 that Saint Christopher and Nevis should be admitted to membership in the United Nations,<sup>2</sup>

*Having considered* the application for membership of Saint Christopher and Nevis,<sup>3</sup>

*Decides* to admit Saint Christopher and Nevis to membership in the United Nations.

*3rd plenary meeting  
23 September 1983*

### 38/2. Credentials of representatives to the thirty-eighth session of the General Assembly

*The General Assembly*

*Approves* the first report of the Credentials Committee.<sup>4</sup>

*34th plenary meeting  
20 October 1983*

### 38/3. The situation in Kampuchea

*The General Assembly,*

*Recalling* its resolutions 34/22 of 14 November 1979, 35/6 of 22 October 1980, 36/5 of 21 October 1981 and 37/6 of 28 October 1982,

*Recalling further* the Declaration on Kampuchea<sup>5</sup> and resolution 1 (I)<sup>6</sup> adopted by the International Conference on Kampuchea, which offer the negotiating framework for a comprehensive political settlement of the Kampuchean problem,

*Taking note* of the report of the Secretary-General on the implementation of General Assembly resolution 37/6,<sup>7</sup>

*Noting* the increasing effectiveness of the coalition with Samdech Norodom Sihanouk as President of Democratic Kampuchea,

*Deploing* that foreign armed intervention and occupation continue and that foreign forces have not been withdrawn from Kampuchea, thus causing continuing hostilities in that country and seriously threatening international peace and security,

*Gravely concerned* that the continued deployment of foreign forces in Kampuchea near the Thai-Kampuchean border and the renewed attack on civilians by those forces, in violation of humanitarian principles, have aggravated tension in the region,

*Greatly disturbed* that the continued fighting and instability in Kampuchea have forced Kampucheans to flee to the Thai-Kampuchean border in search of food and safety,

<sup>2</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 19, document A/38/442.*

<sup>3</sup> *Ibid.*, document A/38/424-S/15989.

<sup>4</sup> *Ibid.*, agenda item 3, document A/38/508.

<sup>5</sup> *Report of the International Conference on Kampuchea, New York, 13-17 July 1981* (United Nations publication, Sales No. E.81.I.20), annex I.

<sup>6</sup> *Ibid.*, annex II.

<sup>7</sup> A/38/513.

*Recognizing* that the assistance extended by the international community has continued to reduce the food shortages and health problems of the Kampuchean people.

*Emphasizing* that it is the inalienable right of the Kampuchean people who have sought refuge in neighbouring countries to return safely to their homeland.

*Emphasizing further* that no effective solution to the humanitarian problems can be achieved without a comprehensive political settlement of the Kampuchean conflict.

*Seriously concerned* about reported demographic changes being imposed in Kampuchea by foreign occupation forces.

*Convinced* that, to bring about durable peace in South-East Asia, there is an urgent need for a comprehensive political solution to the Kampuchean problem that will provide for the withdrawal of all foreign forces and ensure respect for the sovereignty, independence, territorial integrity and neutral and non-aligned status of Kampuchea, as well as the right of the Kampuchean people to self-determination free from outside interference.

*Convinced further* that, after the comprehensive political settlement of the Kampuchean question through peaceful means, the countries of the South-East Asian region can pursue efforts to establish a zone of peace, freedom and neutrality in South-East Asia so as to lessen international tensions and to achieve lasting peace in the region.

*Reaffirming* the need for all States to adhere strictly to the principles of the Charter of the United Nations, which call for respect for the national independence, sovereignty and territorial integrity of all States, non-intervention and non-interference in the internal affairs of States, non-recourse to the threat or use of force and peaceful settlement of disputes.

1. *Reaffirms* its resolutions 34/22, 35/6, 36/5 and 37/6 and calls for their full implementation;

2. *Reiterates its conviction* that the withdrawal of all foreign forces from Kampuchea, the restoration and preservation of its independence, sovereignty and territorial integrity, the right of the Kampuchean people to determine their own destiny and the commitment by all States to non-interference and non-intervention in the internal affairs of Kampuchea are the principal components of any just and lasting resolution of the Kampuchean problem;

3. *Takes note with appreciation* of the report of the *Ad Hoc* Committee of the International Conference on Kampuchea<sup>8</sup> and requests that the Committee continue its work, pending the reconvening of the Conference;

4. *Authorizes* the *Ad Hoc* Committee to convene when necessary and to carry out the tasks entrusted to it in its mandate;

5. *Reaffirms* its decision to reconvene the Conference at an appropriate time, in accordance with Conference resolution I (I);

6. *Renews its appeal* to all States of South-East Asia and others concerned to attend future sessions of the Conference;

7. *Requests* the Conference to report to the General Assembly on its future sessions;

8. *Requests* the Secretary-General to continue to consult with and assist the Conference and the *Ad Hoc* Committee and to provide them on a regular basis with the necessary facilities to carry out their functions;

9. *Expresses its appreciation once again* to the Secretary-General for taking appropriate steps in following the situation closely and requests him to continue to do so

and to exercise his good offices in order to contribute to a comprehensive political settlement;

10. *Expresses its deep appreciation once again* to donor countries, the United Nations and its agencies and other national and international humanitarian organizations that have rendered relief assistance to the Kampuchean people, and appeals to them to continue to provide emergency assistance to those Kampuchean who are still in need, especially along the Thai-Kampuchean border and in the holding centres in Thailand;

11. *Reiterates its deep appreciation* to the Secretary-General for his efforts in co-ordinating humanitarian relief assistance and in monitoring its distribution, and requests him to intensify such efforts as are necessary;

12. *Urges* the countries of South-East Asia, once a comprehensive political solution to the Kampuchean conflict is achieved, to exert renewed efforts to establish a zone of peace, freedom and neutrality in South-East Asia;

13. *Reiterates the hope* that, following a comprehensive political solution, an intergovernmental committee will be established to consider a programme of assistance to Kampuchea for the reconstruction of its economy and for the economic and social development of all States in the region;

14. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution;

15. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "The situation in Kampuchea".

*38th plenary meeting  
27 October 1983*

#### **38/4. Co-operation between the United Nations and the Organization of the Islamic Conference**

*The General Assembly,*

*Having considered* the report of the Secretary-General on co-operation between the United Nations and the Organization of the Islamic Conference,<sup>9</sup>

*Taking into account* the desire of both organizations to co-operate more closely in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights and the establishment of a new international economic order.

*Noting* the strengthening of co-operation between the specialized agencies and other organizations of the United Nations system and the Organization of the Islamic Conference,

*Expressing its satisfaction* at the convening of the first annual meeting between the representatives of the secretariat of the Organization of the Islamic Conference and the secretariats of the United Nations and other organizations of the United Nations system,

*Taking into account* the high level of representation, the wide degree of participation of specialized agencies and other organizations of the United Nations system, the encouraging results obtained and the imperative necessity of co-ordination and follow-up of the decisions reached at that meeting.

*Convinced* of the need to strengthen further the co-operation between the United Nations and the Organization of the Islamic Conference.

<sup>8</sup> A/CONF.109/7.

<sup>9</sup> A/38/500.

Recalling its resolution 3369 (XXX) of 10 October 1975, by which it granted observer status to the Organization of the Islamic Conference,

Recalling its resolutions 35/36 of 14 November 1980, 36/23 of 9 November 1981 and 37/4 of 22 October 1982,

1. *Takes note with satisfaction* of the report of the Secretary-General;

2. *Approves* the conclusions reached and the recommendations made at the first annual meeting between the representatives of the secretariat of the Organization of the Islamic Conference and the secretariats of the United Nations and other organizations of the United Nations system, held at Geneva on 15 July 1983;<sup>10</sup>

3. *Requests* the United Nations and the Organization of the Islamic Conference to continue co-operation in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights and the establishment of a new international economic order;

4. *Encourages* the specialized agencies and other organizations of the United Nations system to continue to expand their co-operation with the Organization of the Islamic Conference, *inter alia* by negotiating co-operation agreements, and invites them to designate focal points concerning co-operation in priority areas of interest to the United Nations and the Organization of the Islamic Conference;

5. *Requests* the Secretary-General to continue to take steps to strengthen the co-ordination of the activities of the United Nations system in this field with a view to intensifying co-operation between the United Nations and the Organization of the Islamic Conference;

6. *Requests* the Secretary-General to strengthen co-operation and co-ordination between the United Nations and the organizations of the United Nations system and the Organization of the Islamic Conference to serve the mutual interests of the two organizations in the political, economic, social and cultural fields;

7. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the state of co-operation between the United Nations and the Organization of the Islamic Conference;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Co-operation between the United Nations and the Organization of the Islamic Conference".

*39th plenary meeting  
28 October 1983*

### **38/5. Co-operation between the United Nations and the Organization of African Unity**

*The General Assembly,*

*Having considered* the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity,<sup>11</sup>

*Recalling* its previous resolutions on the promotion of co-operation between the United Nations and the Organization of African Unity and the practical measures taken for their implementation, in particular resolution 37/15 of 16 November 1982,

*Taking note* of the resolutions, decisions and declarations adopted by the Organization of African Unity on the promotion of co-operation between the United Nations and the Organization of African Unity.

*Taking note also* of the relevant resolutions and decisions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,<sup>12</sup>

*Considering* the important message of the current Chairman of the Organization of African Unity, delivered by the Minister for Foreign Affairs of Ethiopia to the General Assembly on 11 October 1983,<sup>13</sup> particularly with regard to matters of concern to the two organizations.

*Noting with satisfaction* the continued co-operation between the United Nations and the Organization of African Unity in areas of common interest.

*Deeply conscious* of the special needs of the newly independent African States, particularly with regard to the consolidation of their national independence, their endeavours towards social and economic betterment and the adverse impact on their economies of the current international economic situation.

*Gravely concerned* about the adverse effect on African economies of the current international economic situation.

*Recalling* in this connection the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its second extraordinary session, held at Lagos on 28 and 29 April 1980,<sup>14</sup>

*Recognizing* the need for closer co-operation between the Organization of African Unity and all specialized organs, organizations and bodies of the United Nations system in realizing the goals and objectives set forth in the Lagos Plan of Action,

*Deeply concerned* at the gravity of the situation of the refugees in Africa and their increasing needs for international assistance as well as at the heavy social, economic and security burden imposed on African countries of asylum,

*Having considered* the report of the Secretary-General of 25 October 1983 on the International Conference on Assistance to Refugees in Africa as well as the progress of preparations for the Second International Conference on Assistance to Refugees in Africa,<sup>15</sup>

*Gravely concerned also* at the need for special economic and emergency assistance programmes for a number of African States affected by serious economic problems, in particular problems of displaced persons, resulting from natural or other disasters, to enable them to pursue effective economic development.

*Gravely concerned further* at the deteriorating situation in southern Africa arising from the continued domination of the peoples of the area by the minority racist régime of South Africa and conscious of the need to provide increased assistance to the peoples of the region and to their liberation movements in their struggle against colonialism, racial discrimination and *apartheid*,

*Conscious* of its responsibilities to provide economic, material and humanitarian assistance to independent States in southern Africa to help them to cope with the situation caused by the acts of aggression committed against their territories by the *apartheid* régime of South Africa.

<sup>10</sup> *Ibid.*, sect. III.D.

<sup>11</sup> A/38/307 and Add.1.

<sup>12</sup> A/38/312, annex.

<sup>13</sup> *Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings*, 27th meeting, paras. 49-110.

<sup>14</sup> A/S-11/4, annex I.

<sup>15</sup> A/38/526.

*Recognizing* the importance of taking effective steps to provide the widest possible dissemination of information relating to the liberation struggle of the peoples of southern Africa,

*Recognizing* the important role which the various information units and departments of the United Nations system can play in disseminating information to bring about a greater awareness of the social and economic problems and needs of African States and their regional and sub-regional institutions,

*Aware* of the need for continuous liaison, exchange of information at the secretariat level and technical co-operation on such matters as training and research between the Organization of African Unity and the United Nations,

*Having considered* the report of the Secretary-General on the meeting between representatives of the General Secretariat of the Organization of African Unity and the secretariats of the United Nations and other organizations of the United Nations system, held at Addis Ababa from 21 to 23 April 1983,<sup>16</sup> in the context of the co-operation programme,

*Noting with satisfaction* the useful decisions and proposals which emerged from the conclusions of the Addis Ababa meeting for enhancing co-operation between the United Nations and the Organization of African Unity,

1. *Takes note* of the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity and commends his efforts to strengthen such co-operation;

2. *Notes with appreciation* the increasing participation of the Organization of African Unity in the work of the United Nations and the specialized agencies and its constructive contribution to that work;

3. *Commends* the continued efforts of the Organization of African Unity to promote multilateral co-operation among African States and to find solutions to African problems of vital importance to the international community and notes with satisfaction the increased collaboration of various United Nations agencies in support of those efforts;

4. *Reiterates* the determination of the United Nations, in co-operation with the Organization of African Unity, to intensify its efforts to eliminate colonialism, racial discrimination and *apartheid* in southern Africa;

5. *Reaffirms* its willingness to co-operate fully with the Organization of African Unity and its organs in the implementation of the relevant resolutions and decisions of that organization;

6. *Approves* the relevant decisions, recommendations, proposals and arrangements contained in the conclusions of the meeting between representatives of the General Secretariat of the Organization of African Unity and the secretariats of the United Nations and other organizations of the United Nations system, held at Addis Ababa from 21 to 23 April 1983;

7. *Requests* the Secretary-General to implement the relevant decisions, recommendations and proposals contained in the conclusions of the Addis Ababa meeting;

8. *Calls upon* the competent organizations and bodies of the United Nations system to give urgent consideration to the various recommendations and proposals contained in the conclusions of the Addis Ababa meeting, with the objective of enhancing co-operation between the United Nations system and the Organization of African Unity;

9. *Calls upon* the competent organs, specialized agencies and other organizations of the United Nations system to ensure that their personnel and recruitment policies provide for the just and equitable representation of Africa at all levels at their respective headquarters and in their regional and field operations and give due consideration to the various suggestions and proposals in the relevant paragraphs of the conclusions and recommendations of the Addis Ababa meeting;

10. *Requests* the Secretary-General, in consultation with the Secretary-General of the Organization of African Unity, to arrange the date and venue in Africa for the next meeting between representatives of the General Secretariat of that organization and the secretariats of the United Nations and other organizations of the United Nations system, taking into account paragraphs 65 to 67 of the report of the Secretary-General, which relate to the agenda and modalities of the meeting and to suggestions made at the Addis Ababa meeting;

11. *Recognizes* the importance of continued close association by the United Nations and the specialized agencies, where appropriate, with the efforts of the Organization of African Unity to promote social and economic development and to advance intra-African co-operation in that vital field;

12. *Reaffirms* the determination of the United Nations to work closely with the Organization of African Unity towards the establishment of the new international economic order in accordance with the resolutions adopted by the General Assembly and, in that regard, to take full account of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa in the implementation of the International Development Strategy for the Third United Nations Development Decade;<sup>17</sup>

13. *Reiterates its appreciation* to the Secretary-General for his efforts, on behalf of the international community, to organize and mobilize special programmes of economic assistance for African States experiencing grave economic difficulties, in particular for newly independent African States, the front-line States and other independent States of southern Africa, to help them to cope with the situation caused by the acts of aggression committed against their territories by the *apartheid* régime of South Africa;

14. *Expresses its appreciation* to the World Bank, the United Nations Development Programme and other concerned international financial institutions for their assistance, in response to resolutions of the General Assembly, in the organization of round-table and donor conferences in favour of the least developed countries of Africa, as well as those requiring special programmes of economic assistance;

15. *Calls upon* all Member States, regional and international organizations and organizations of the United Nations system to participate actively in the implementation of those special programmes of economic assistance;

16. *Calls upon* the international community to provide generous assistance to all the African States, particularly those that are affected by natural calamities such as drought and flood, and expresses its appreciation to the Office of the United Nations Disaster Relief Co-ordinator, the World Food Programme, the Food and Agriculture Organization of the United Nations, the World Health Organization and the United Nations Children's Fund for the assistance they have so far rendered to the African States that have suffered those calamities;

<sup>16</sup> A/38/307.

<sup>17</sup> Resolution 35/56, annex.

17. *Requests* the Secretary-General to keep the Organization of African Unity informed periodically of the response of the international community to those special programmes of economic assistance and to co-ordinate efforts with all similar programmes initiated by that organization;

18. *Also requests* the Secretary-General and the organizations of the United Nations system to ensure that adequate facilities continue to be made available for the provision of technical assistance to the General Secretariat of the Organization of African Unity, as required;

19. *Further requests* the Secretary-General to continue to take the necessary measures to strengthen co-operation at the political, economic, cultural and administrative levels between the United Nations and the Organization of African Unity in accordance with the relevant resolutions of the General Assembly, particularly with regard to the provision of assistance to the victims of colonialism and *apartheid* in southern Africa, and in this connection draws once again the attention of the international community to the need to contribute to the Assistance Fund for the Struggle against Colonialism and *Apartheid* established by the Organization of African Unity;

20. *Calls upon* all Member States and organizations of the United Nations system to increase their assistance to the African States affected by serious economic problems, in particular problems of displaced persons, resulting from natural or other disasters, by mobilizing special programmes of economic and emergency assistance;

21. *Urges* all Member States and regional and international organizations, in particular those of the United Nations system, and non-governmental organizations to continue their support of African refugee programmes and to provide material and economic assistance to help host countries to cope with the heavy burden imposed on their limited resources and weak infrastructures;

22. *Invites* Member States and regional and international organizations, in particular those of the United Nations system, and non-governmental organizations to participate actively in the Second International Conference on Assistance to Refugees in Africa, scheduled to be held in July 1984, and to contribute generously to ensure its success;

23. *Requests* the Secretary-General to draw the attention of the specialized agencies and other organizations of the United Nations system to the need to give increasingly wide publicity to all matters relating to the social and economic development of Africa;

24. *Calls upon* United Nations bodies—in particular the Security Council, the Economic and Social Council, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Special Committee against *Apartheid* and the United Nations Council for Namibia—to continue to associate closely the Organization of African Unity with all their work concerning Africa;

25. *Urges* the specialized agencies and other organizations concerned within the United Nations system to continue and to expand their co-operation with the Organization of African Unity and, through it, their assistance to the liberation movements recognized by that organization;

26. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution and on the development of co-operation between the Organization of African

Unity and the organizations concerned within the United Nations system.

*39th plenary meeting  
28 October 1983*

### 38/6. Co-operation between the United Nations and the League of Arab States

*The General Assembly,*

*Recalling* its previous resolutions on the promotion of co-operation between the United Nations and the League of Arab States, in particular resolutions 36/24 of 9 November 1981 and 37/17 of 16 November 1982,

*Having considered* the report of the Secretary-General on co-operation between the United Nations and the League of Arab States,<sup>18</sup>

*Having heard* the statement of the Permanent Observer of the League of Arab States on co-operation between the United Nations and the League of Arab States<sup>19</sup> and having noted the emphasis placed therein on follow-up projects, actions and procedures on the recommendations adopted at the meeting between representatives of the General Secretariat of the League of Arab States and its specialized organizations and the secretariats of the United Nations and other organizations of the United Nations system, held at Tunis from 28 June to 1 July 1983,<sup>20</sup> as well as on various sectoral activities related to development priorities in the Arab region,

*Recalling* the relevant articles of the Charter of the United Nations which encourage activities through regional arrangements for the promotion of the purposes and principles of the United Nations,

*Noting with appreciation* the desire of the League of Arab States to consolidate and develop the existing ties with the United Nations in all areas relating to the maintenance of international peace and security, and to co-operate in every possible way with the United Nations in the implementation of United Nations resolutions relating to the question of Palestine and the situation in the Middle East,

*Noting* that the convening of the Tunis meeting in compliance with General Assembly resolution 37/17 afforded both sides an opportunity to review, in a comprehensive manner, the state of co-operation that has developed during more than three decades between their respective agencies and organizations,

*Aware* of the vital importance for the countries members of the League of Arab States of achieving a just, comprehensive and durable solution to the Middle East conflict and the question of Palestine, the core of the conflict,

*Realizing* that the strengthening of international peace and security is directly related, *inter alia*, to disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination,

*Convinced* that the strengthening and furtherance of co-operation between the United Nations and the organizations of the United Nations system and the League of Arab States contribute to the work of the United Nations system and to the promotion of the purposes and principles of the United Nations,

*Noting* that the Tunis meeting defined the framework of co-operation between the United Nations and the League of Arab States in certain priority sectors, without deter-

<sup>18</sup> A/38/299 and Corr.1.

<sup>19</sup> *Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings, 39th meeting, paras. 131-147.*

<sup>20</sup> See A/38/299 and Corr.1, sect. V.



mining specific projects that could lend themselves to joint implementation.

*Recognizing* the need for closer co-operation between the United Nations system and the League of Arab States and its specialized organizations in realizing the goals and objectives set forth in the Strategy for Joint Arab Economic Development adopted by the Eleventh Arab Summit Conference, held at Amman from 25 to 27 November 1980.

1. *Takes note with satisfaction* of the report of the Secretary-General;

2. *Expresses its appreciation* to the Secretary-General for his efforts towards the organization of the meeting between representatives of the General Secretariat of the League of Arab States and its specialized organizations and the secretariats of the United Nations and other organizations of the United Nations system, held at Tunis from 28 June to 1 July 1983, as well as to the specialized agencies and other organizations of the United Nations system for their substantive contributions to that meeting;

3. *Commends* the General Secretariat of the League of Arab States and its specialized organizations for their active involvement in the preparations for the Tunis meeting and for their sustained endeavours towards its success;

4. *Requests* the Secretary-General to intensify his efforts towards the implementation of United Nations resolutions relevant to the question of Palestine and the situation in the Middle East;

5. *Requests* the secretariats of the United Nations and the League of Arab States, within their respective fields of competence, to intensify their co-operation towards the realization of the purposes and principles of the Charter of the United Nations, the strengthening of international peace and security, disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination;

6. *Requests* the Secretary-General to strengthen co-operation and co-ordination between the United Nations and the organizations of the United Nations system and the League of Arab States in order to enhance their capacity to serve the mutual interests of the two organizations in the political, economic, social and cultural fields;

7. *Calls upon* the competent bodies of the United Nations, the specialized agencies and other organizations of the United Nations system to give urgent consideration to the various recommendations contained in the report of the Secretary-General and to inform the Secretary-General of the action taken on them not later than 15 May 1984;

8. *Takes note* of the proposals and recommendations contained in the report of the Secretary-General and requests him to take the necessary steps to ensure their implementation, including the following measures:

(a) Setting up of joint sectoral inter-agency working groups for follow-up of multilateral projects;

(b) Promotion of contacts and consultations regarding projects of a multilateral nature between the counterpart agencies, programmes and bodies concerned;

(c) Promotion of contacts and consultations regarding projects of a bilateral nature between the counterpart agencies, programmes and bodies concerned;

9. *Requests* the Food and Agriculture Organization of the United Nations to consider holding at Rome, not later than 31 August 1984, a meeting on food and agriculture in the Arab region to consider action to be taken and projects

to be launched jointly pursuant to the recommendations adopted at the Tunis meeting;

10. *Also recommends* that another sectoral meeting on social development be organized, in January/February 1985, under the aegis of the General Secretariat of the League of Arab States, in a country member of that organization, to give careful consideration to projects prepared for joint implementation, in conformity with the priorities set forth in paragraphs 61 and 62 of the report of the Secretary-General,<sup>18</sup> including joint sectoral meetings;

11. *Requests* the Secretary-General, in close co-operation with the Secretary-General of the League of Arab States, to convene *ad hoc* meetings between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States for consultations on follow-up policies, projects, actions and procedures;

12. *Further requests* the Secretary-General to submit to the General Assembly, at its thirty-ninth session, a progress report on the implementation of the present resolution;

13. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Co-operation between the United Nations and the League of Arab States".

39th plenary meeting  
28 October 1983

### 38/7. The situation in Grenada

*The General Assembly,*

*Considering* the statements made before the Security Council in connection with the situation in Grenada,<sup>21</sup>

*Recalling* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>22</sup>

*Recalling also* the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States,<sup>23</sup>

*Reaffirming* the sovereign and inalienable right of Grenada freely to determine its own political, economic and social system, and to develop its international relations without outside intervention, interference, subversion, coercion or threat in any form whatsoever,

*Deeply deploring* the events in Grenada which led to the killing of the Prime Minister, Mr. Maurice Bishop, and other prominent Grenadians,

*Bearing in mind* that, in accordance with Article 2, paragraph 4, of the Charter of the United Nations, all Member States are obliged to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the principles of the Charter,

*Gravely concerned* at the military intervention taking place and determined to ensure a speedy return to normalcy in Grenada,

*Conscious* of the need for States to show consistent respect for the principles of the Charter,

1. *Deeply deplores* the armed intervention in Grenada, which constitutes a flagrant violation of international law and of the independence, sovereignty and territorial integrity of that State;

<sup>21</sup> See *Official Records of the Security Council, Thirty-eighth Year*, 2487th, 2489th and 2491st meetings.

<sup>22</sup> Resolution 2625 (XXV), annex.

<sup>23</sup> Resolution 36/103, annex.

2. *Deplores* the death of innocent civilians resulting from the armed intervention;
3. *Calls upon* all States to show the strictest respect for the sovereignty, independence and territorial integrity of Grenada;
4. *Calls* for an immediate cessation of the armed intervention and the immediate withdrawal of the foreign troops from Grenada;
5. *Requests* that free elections be organized as rapidly as possible to enable the people of Grenada to choose its government democratically;
6. *Requests* the Secretary-General as a matter of urgency to assess the situation and to report back to the General Assembly within seventy-two hours.<sup>24</sup>

*43rd plenary meeting  
2 November 1983*

### 38/8. Report of the International Atomic Energy Agency

*The General Assembly,*

*Having received* the report of the International Atomic Energy Agency to the General Assembly for the year 1982,<sup>25</sup>

*Taking note* of the statement by the Director General of the International Atomic Energy Agency of 4 November 1983,<sup>26</sup> which provides additional information on developments in the Agency's activities during 1983,

*Recognizing* the importance of the work of and the relevance for the International Atomic Energy Agency to promote further the application of nuclear energy for peaceful purposes, as envisaged in its Statute, and to improve further its technical assistance and promotional programmes for the benefit of developing countries,

*Conscious* of the importance of the work of the International Atomic Energy Agency in the implementation of the safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons<sup>27</sup> and other international treaties, conventions and agreements designed to achieve similar objectives, as well as ensuring, as far as it is able, that the assistance provided by the Agency or at its request or under its supervision or control is not used in such a way as to further any military purpose, as stated in article II of its Statute,

*Welcoming* the decision of the General Conference of the International Atomic Energy Agency of 11 October 1983 to grant membership of the Agency to the People's Republic of China,

*Conscious* of the useful outcome of the International Conference on Radioactive Waste Management, held at Seattle, United States of America, from 16 to 20 May 1983 by the International Atomic Energy Agency,

*Recognizing* the importance of the work of the International Atomic Energy Agency on nuclear safety, which increases public confidence in nuclear power,

*Bearing in mind* resolutions GC(XXVII)/RES/407, GC(XXVII)/RES/408, GC(XXVII)/RES/409 and GC(XXVII)/RES/415, adopted on 14 October 1983 by the General Conference of the International Atomic Energy Agency at its twenty-seventh regular session,

<sup>24</sup> See A/38/568.

<sup>25</sup> International Atomic Energy Agency, *The Annual Report for 1982* (Austria, August 1983); transmitted to the members of the General Assembly by a note of the Secretary-General (A/38/346 and Corr.1).

<sup>26</sup> *Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings*, 45th meeting, paras. 2-48.

1. *Takes note* of the report of the International Atomic Energy Agency;

2. *Urges* all States to strive for effective and harmonious international co-operation in carrying out the work of the International Atomic Energy Agency and to implement strictly the mandate of its statute in promoting the use of nuclear energy and the application of nuclear science and technology for peaceful purposes; in strengthening technical assistance and co-operation for developing countries; and in ensuring the effectiveness of the Agency's safeguards system;

3. *Expresses its satisfaction* at the prospect of mutual benefit arising from the membership of the People's Republic of China in the International Atomic Energy Agency;

4. *Affirms* its confidence in the role of the International Atomic Energy Agency in the application of nuclear energy for peaceful purposes;

5. *Requests* the Secretary-General to transmit to the Director General of the International Atomic Energy Agency the records of the thirty-eighth session of the General Assembly relating to the Agency's activities.

*46th plenary meeting  
4 November 1983*

### 38/9. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security

*The General Assembly,*

*Having considered* the item entitled "Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security",

*Recalling* the relevant resolutions of the Security Council and the General Assembly,

*Taking note* of the relevant resolutions of the International Atomic Energy Agency,

*Taking note also with appreciation* of the report of the Secretary-General,<sup>28</sup>

*Viewing with deep concern* Israel's continued refusal to comply with those resolutions,

*Reiterating its alarm* over the information and evidence regarding the acquisition and development of nuclear weapons by Israel,

*Recalling* Article 2, paragraph 4, of the Charter of the United Nations, which enjoins all Member States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

*Noting* that serious radiological effects would result from an armed attack with conventional weapons on a nuclear installation, which could also lead to the initiation of radiological warfare,

1. *Reiterates its condemnation* of Israel's continued refusal to implement Security Council resolution 487

<sup>27</sup> Resolution 2373 (XXII), annex.  
<sup>28</sup> A/38/342.

(1981), unanimously adopted by the Council on 19 June 1981;

2. *Notes* that the statements made so far by Israel have not removed apprehensions that its threat to repeat its armed attack against nuclear facilities, as well as any similar action against such facilities, will continue to endanger the role and activities of the International Atomic Energy Agency and other international instruments in the development of nuclear energy for peaceful purposes and in safeguarding against further proliferation of nuclear weapons;

3. *Considers* that any threat to attack and destroy nuclear facilities in Iraq and in other countries constitutes a violation of the Charter of the United Nations;

4. *Reiterates its demand* that Israel withdraw forthwith its threat to attack and destroy nuclear facilities in Iraq and in other countries;

5. *Once again requests* the Security Council to consider the necessary measures to deter Israel from repeating such an attack on nuclear facilities;

6. *Reaffirms its call* for the continuation of the consideration, at the international level, of legal measures to prohibit armed attacks against nuclear facilities, and threats thereof, as a contribution to promoting and ensuring the safe development of nuclear energy for peaceful purposes;

7. *Expresses its deep appreciation* to the Secretary-General and the Group of Experts on the Consequences of the Israeli Armed Attack against the Iraqi Nuclear Installations for their comprehensive study;<sup>29</sup>

8. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security".

*52nd plenary meeting  
10 November 1983*

### **38/10. The situation in Central America: threats to international peace and security and peace initiatives**

*The General Assembly,*

*Recalling* Security Council resolution 530 (1983) of 19 May 1983 in which the Council encouraged the efforts of the Contadora Group and appealed urgently to all interested States in and outside the region to co-operate fully with the Group, through a frank and constructive dialogue, so as to resolve their differences,

*Reaffirming* the purposes and principles of the Charter of the United Nations relating to the duty of all States to refrain from the threat or use of force against the sovereignty, territorial integrity or political independence of any State,

*Also reaffirming* the inalienable right of all peoples to decide on their own form of government and to choose their own economic, political and social system free from all foreign intervention, coercion or limitation,

*Considering* that the internal conflicts in the countries of Central America stem from the economic, political and social conditions obtaining in each of those countries and that they should not, therefore, be placed in the context of East-West confrontation.

*Deeply concerned* at the worsening of tensions and conflicts in Central America and the increase in outside interference and acts of aggression against the countries of the region, which endanger international peace and security,

*Mindful* of the necessity of promoting the achievement of peace on a sound basis, which would make possible a genuine democratic process, respect for human rights, and economic and social development,

*Noting with deep concern* that in recent weeks armed incidents, border clashes, acts of terrorism and sabotage, traffic in arms and destabilizing actions in and against countries of the region have increased in number and intensity,

*Noting with great concern* the military presence of countries from outside the region, the carrying out of overt and covert actions, and the use of neighbouring territories to engage in destabilizing actions, which have served to heighten tensions in the region,

*Deeply concerned* at the prolongation of the armed conflict in countries of Central America, which has been aggravated by increasing foreign intervention,

*Bearing in mind* the progress achieved in the meetings that the Ministers for Foreign Affairs of the Contadora Group have held with the Foreign Ministers of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua in identifying issues of concern and proposing appropriate procedures for the consideration of those issues,

*Recalling* the Cancún Declaration on Peace in Central America issued by the Presidents of Colombia, Mexico, Panama and Venezuela on 17 July 1983,<sup>30</sup> which contains an appeal for political commitments on the part of countries situated in and outside the region with the aim of achieving lasting peace in the area,

*Bearing in mind* the Cancún Declaration and the endorsement by the States of Central America of a Document of Objectives,<sup>31</sup> which provides a basis for an agreement on the negotiations, that should be initiated at the earliest possible date with the aim of drawing up agreements and adopting the necessary procedures for formalizing the commitments and ensuring appropriate systems of control and verification,

*Appreciating* the broad international support expressed for the efforts of the Contadora Group to secure a peaceful and negotiated settlement of the conflicts affecting the region,

1. *Reaffirms* the right of all the countries of the region to live in peace and to decide their own future, free from all outside interference or intervention, whatever pretext may be adduced or whatever the circumstances in which they may be committed;

2. *Affirms* that respect for the sovereignty and independence of all States of the region is essential to ensure the security and peaceful coexistence of the Central American States;

3. *Condemns* the acts of aggression against the sovereignty, independence and territorial integrity of the States of the region, which have caused losses in human life and irreparable damage to their economies, thereby preventing them from meeting the economic and social development

<sup>29</sup> A/38/337, annex.

<sup>30</sup> A/38/303-S/15877, annex. For the printed text, see *Official Records of the Security Council, Thirty-eighth Year, Supplement for July, August and September 1983*, document S/15877, annex.

<sup>31</sup> *Official Records of the Security Council, Thirty-eighth Year, Supplement for October, November and December 1983*, document S/16041, annex.

needs of their peoples; especially serious in this context are:

(a) The attacks launched from outside Nicaragua against that country's strategic installations, such as airports and seaports, energy storage facilities and other targets whose destruction seriously affects the country's economic life and endangers densely populated areas;

(b) The continued losses in human life in El Salvador and Honduras, the destruction of important public works and losses in production;

(c) The increase in the number of refugees in several countries of the region;

4. *Urges* the States of the region and other States to desist from or to refrain from initiating, military operations intended to exert political pressure, which aggravate the situation in the region and hamper the efforts to promote negotiations that the Contadora Group is undertaking with the agreement of the Governments of Central America;

5. *Notes with satisfaction* that the countries of the region have agreed to take measures leading to the establishment and, where appropriate, the improvement of democratic, representative and pluralistic systems which will guarantee effective popular participation in decision-making and ensure the free access of various currents of opinion to honest and periodic electoral processes based on the full observance of civil rights, emphasizing that the strengthening of democratic institutions is closely linked to evolution and advances achieved in the sphere of economic development and social justice;

6. *Expresses its firmest support* for the Contadora Group and urges it to persevere in its efforts, which enjoy the effective support of the international community and the forthright co-operation of the interested countries in or outside the region;

7. *Welcomes with satisfaction* the Cancún Declaration of the Presidents of Colombia, Mexico, Panama and Venezuela and the Document of Objectives endorsed by the Governments of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, which contains the basis for the start of negotiations to ensure harmonious coexistence in Central America;

8. *Requests* the Secretary-General, in pursuance of Security Council resolution 530 (1983), to keep the Council regularly informed of the development of the situation and of the implementation of that resolution;

9. *Requests* the Secretary-General to submit a report to the General Assembly at its thirty-ninth session on the implementation of the present resolution;

10. *Decides* to keep under review the situation in Central America, threats to security which may occur in the region and the progress of peace initiatives.

*53rd plenary meeting  
11 November 1983*

### **38/11. Proposed new racial constitution of South Africa**

*The General Assembly.*

*Recalling* its many resolutions and those of the Security Council calling on the authorities in South Africa to abandon *apartheid*, end oppression and repression of the black majority and seek a peaceful, just and lasting solution in accordance with the principles of the Charter of the United

Nations and the Universal Declaration of Human Rights.<sup>32</sup>

*Reaffirming* that *apartheid* is a crime against humanity and a threat to international peace and security,

*Gravely concerned* that the so-called "constitutional proposals" endorsed, on 2 November 1983, by the exclusively white electorate in South Africa further entrench *apartheid*,

*Convinced* that the aim of the so-called "constitutional proposals" is to deprive the indigenous African majority of all fundamental rights, including the right of citizenship, and to transform South Africa into a country for "whites only", in keeping with the declared policies of *apartheid*,

*Aware* that the inclusion in the "constitutional proposals" of the so-called "coloured" people and people of Asian origin is aimed at dividing the unity of the oppressed people of South Africa and fomenting internal conflict,

*Noting with grave concern* that one of the objectives of the so-called "constitutional proposals" of the racist régime is to make the "coloured" people and people of Asian origin in South Africa eligible for conscription into the *apartheid* armed forces for further internal repression and aggression against independent African States,

*Welcoming* the united resistance of the oppressed people of South Africa against these "constitutional" manoeuvres,

*Reaffirming* the legitimacy of the struggle of the oppressed people of South Africa for the elimination of *apartheid* and for the establishment of a society in which all the people of South Africa as a whole, irrespective of race, colour or creed, will enjoy equal and full political and other rights and participate freely in the determination of their destiny,

*Firmly convinced* that the implementation of these "constitutional proposals" will further aggravate the already explosive situation prevailing inside *apartheid* South Africa,

1. *Declares* that the so-called "constitutional proposals" are contrary to the principles of the Charter of the United Nations, that the results of the referendum are of no validity whatsoever and that the enforcement of the proposed "constitution" will inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole;

2. *Rejects* the so-called "constitutional proposals" and all insidious manoeuvres by the racist minority régime of South Africa further to entrench white minority rule and *apartheid*;

3. *Further rejects* any so-called "negotiated settlement" based on bantustan structures or on the "constitutional proposals";

4. *Solemnly declares* that only the total eradication of *apartheid* and the establishment of a non-racial democratic society based on majority rule, through the full and free exercise of adult suffrage by all the people in a united and non-fragmented South Africa, can lead to a just and lasting solution of the explosive situation in South Africa;

5. *Urges* all Governments and organizations to take appropriate action, in co-operation with the United Nations and the Organization of African Unity and in accordance with the present resolution, to assist the oppressed people of South Africa in their legitimate struggle for a non-racial democratic society;

6. *Requests* the Security Council, as a matter of urgency, to consider the serious implications of the so-

<sup>32</sup> Resolution 217 A (III).

called "constitutional proposals" and to take all necessary measures, in accordance with the Charter, to avert the further aggravation of tension and conflict in South Africa and in southern Africa as a whole.

56th plenary meeting  
15 November 1983

### 38/12. Question of the Falkland Islands (Malvinas)<sup>33</sup>

*The General Assembly,*

*Having considered* the question of the Falkland Islands (Malvinas),

*Aware* that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

*Recalling* its resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976 and 37/9 of 4 November 1982,

*Recalling also* Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

*Having received* the report of the Secretary-General on his mission of good offices,<sup>34</sup>

*Regretting* the lack of progress in the implementation of resolution 37/9,

*Aware* of the interest of the international community in the resumption by the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland of their negotiations in order to find as soon as possible a peaceful and just solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

*Taking into account* the existence of a *de facto* cessation of hostilities in the South Atlantic and the expressed intention of the parties not to renew them,

*Reaffirming* the need for the parties to take due account of the interests of the population of the Falkland Islands (Malvinas) in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII) and 37/9,

*Reaffirming also* the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

1. *Reiterates* its request to the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas);

2. *Takes note* of the report of the Secretary-General on the implementation of General Assembly resolution 37/9;<sup>34</sup>

3. *Requests* the Secretary-General to continue his renewed mission of good offices in order to assist the parties in complying with the request made in paragraph 1 above, and to take the necessary measures to that end;

4. *Requests* the Secretary-General to submit a report to the General Assembly at its thirty-ninth session on the progress made in the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Question of the Falkland Islands (Malvinas)".

59th plenary meeting  
16 November 1983

### 38/13. Question of the Comorian Island of Mayotte

*The General Assembly,*

*Recalling* its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

*Recalling also* its previous resolutions, in particular resolutions 3161 (XXVIII) of 14 December 1973, 3291 (XXIX) of 13 December 1974, 31/4 of 21 October 1976, 32/7 of 1 November 1977, 34/69 of 6 December 1979, 35/43 of 28 November 1980, 36/105 of 10 December 1981 and 37/65 of 3 December 1982, in which it, *inter alia*, affirmed the unity and territorial integrity of the Comoros,

*Recalling*, in particular, its resolution 3385 (XXX) of 12 November 1975 on the admission of the Comoros to membership in the United Nations, in which it reaffirmed the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli,

*Recalling further* that, in accordance with the agreements between the Comoros and France, signed on 15 June 1973, concerning the accession of the Comoros to independence, the results of the referendum of 22 December 1974 were to be considered on a global basis and not island by island,

*Convinced* that a just and lasting solution to the question of Mayotte is to be found in respect for the sovereignty, unity and territorial integrity of the Comoro Archipelago,

*Bearing in mind* the wish expressed by the President of the French Republic to seek actively a just solution to that problem,

*Taking note* of the talks opened between the Government of the Islamic Federal Republic of the Comoros and the Government of the French Republic,

*Taking note also* of the wish of the Government of the Comoros to activate the dialogue with the Government of France with a view to encouraging the prompt return of the Comorian island of Mayotte to the Islamic Federal Republic of the Comoros as a whole,

*Taking note* of the report of the Secretary-General,<sup>35</sup>

*Bearing in mind* the decisions of the Organization of African Unity, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference concerning this question,

1. *Reaffirms* the sovereignty of the Islamic Federal Republic of the Comoros over the island of Mayotte;

2. *Invites* the Government of France to honour the commitments entered into prior to the referendum on the self-determination of the Comoro Archipelago of 22 December 1974 concerning respect for the unity and territorial integrity of the Comoros;

3. *Calls* for the translation into practice of the wish expressed by the President of the French Republic to see a just solution to the question of Mayotte adopted as soon as possible;

<sup>33</sup> See also sect. I, footnote 6, and sect. X.B.5, decision 38/405.

<sup>34</sup> A/38/532.

<sup>35</sup> A/38/517.

4. *Also invites* the Government of France to open the negotiations with the Government of the Comoros with a view to ensuring the effective and prompt return of the island of Mayotte to the Comoros;

5. *Requests* the Secretary-General of the United Nations to follow developments concerning this question, in conjunction with the Secretary-General of the Organization of African Unity, and to report thereon to the General Assembly at its thirty-ninth session;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Question of the Comorian island of Mayotte".

65th plenary meeting  
21 November 1983

### 38/29. The situation in Afghanistan and its implications for international peace and security

*The General Assembly,*

*Having considered* the item entitled "The situation in Afghanistan and its implications for international peace and security".

*Recalling* its resolutions ES-6/2 of 14 January 1980, 35/37 of 20 November 1980, 36/34 of 18 November 1981 and 37/37 of 29 November 1982,

*Reaffirming* the purposes and principles of the Charter of the United Nations and the obligation of all States to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity and political independence of any State,

*Reaffirming further* the inalienable right of all peoples to determine their own form of government and to choose their own economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever,

*Gravely concerned* at the continuing foreign armed intervention in Afghanistan, in contravention of the above principles, and its serious implications for international peace and security,

*Noting* the increasing concern of the international community over the continued and serious sufferings of the Afghan people and over the magnitude of social and economic problems posed to Pakistan and Iran by the presence on their soil of millions of Afghan refugees, and the continuing increase in their numbers,

*Deeply conscious* of the urgent need for a political solution of the grave situation in respect of Afghanistan,

*Taking note* of the report of the Secretary-General,<sup>36</sup> and the status of the diplomatic process initiated by him,

*Recognizing* the importance of the initiatives of the Organization of the Islamic Conference and the efforts of the Movement of Non-Aligned Countries for a political solution of the situation in respect of Afghanistan,

1. *Reiterates* that the preservation of the sovereignty, territorial integrity, political independence and non-aligned character of Afghanistan is essential for a peaceful solution of the problem;

2. *Reaffirms* the right of the Afghan people to determine their own form of government and to choose their economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever;

<sup>36</sup> A/38/449-S/16005. For the printed text, see *Official Records of the Security Council, Thirty-eighth Year, Supplement for July, August and September 1983*, document S/16005.

3. *Calls* for the immediate withdrawal of the foreign troops from Afghanistan;

4. *Calls upon* all parties concerned to work for the urgent achievement of a political solution, in accordance with the provisions of the present resolution, and the creation of the necessary conditions which would enable the Afghan refugees to return voluntarily to their homes in safety and honour;

5. *Renews its appeal* to all States and national and international organizations to continue to extend humanitarian relief assistance with a view to alleviating the hardship of the Afghan refugees, in co-ordination with the United Nations High Commissioner for Refugees;

6. *Expresses its appreciation and support* for the efforts and constructive steps taken by the Secretary-General, especially the diplomatic process initiated by him, in the search for a solution to the problem;

7. *Requests* the Secretary-General to continue those efforts with a view to promoting a political solution, in accordance with the provisions of the present resolution, and the exploration of securing appropriate guarantees for the non-use of force, or threat of force, against the political independence, sovereignty, territorial integrity and security of all neighbouring States, on the basis of mutual guarantees and strict non-interference in each other's internal affairs and with full regard for the principles of the Charter of the United Nations;

8. *Requests* the Secretary-General to keep Member States and the Security Council concurrently informed of progress towards the implementation of the present resolution and to submit to Member States a report on the situation at the earliest appropriate opportunity;

9. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "The situation in Afghanistan and its implications for international peace and security".

69th plenary meeting  
23 November 1983

### 38/34. Return or restitution of cultural property to the countries of origin

*The General Assembly,*

*Recalling* its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/18 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979, 35/127 and 35/128 of 11 December 1980 and 36/64 of 27 November 1981,

*Recalling also* the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,<sup>37</sup> adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

*Taking note with satisfaction* of the report of the Secretary-General submitted in co-operation with the Director-General of the United Nations Educational, Scientific and Cultural Organization,<sup>38</sup>

*Aware* of the importance attached by the countries of origin to the return of cultural property which is of fundamental spiritual and cultural value to them, so that they

<sup>37</sup> United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Sixteenth Session*, vol. I, *Resolutions*, p. 135.

<sup>38</sup> A/38/456.

may constitute collections representative of their cultural heritage.

*Noting with satisfaction* that some countries have taken positive steps towards the return or restitution of museum pieces, archives and *objets d'art* to their countries of origin.

*Reaffirming* the importance of inventories as an essential tool for the understanding and protection of cultural property and for the identification of dispersed heritage and as a contribution to the advancement of scientific and artistic knowledge and intercultural communication.

*Deeply concerned* at the clandestine excavations and the illicit traffic in cultural property that continue to impoverish the cultural heritage of all peoples.

*Supporting* the solemn appeal made on 7 June 1978 by the Director-General of the United Nations Educational, Scientific and Cultural Organization for the return of irreplaceable cultural heritage to those who created it.

1. *Commends* the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation on the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property, the development of infrastructures for the protection of movable cultural property, the reduction of illicit traffic in cultural property and the dissemination of information to the public;

2. *Reaffirms* that the restitution to a country of its *objets d'art*, monuments, museum pieces, archives, manuscripts, documents and any other cultural or artistic treasures contributes to the strengthening of international co-operation and to the preservation and flowering of universal cultural values through fruitful co-operation between developed and developing countries;

3. *Invites* Member States to draw up, in co-operation with the United Nations Educational, Scientific and Cultural Organization, systematic inventories of cultural property existing in their territory and of their cultural property abroad;

4. *Also invites* Member States engaged in seeking the recovery of cultural and artistic treasures from the sea-bed, in accordance with international law, to facilitate by mutually acceptable conditions the participation of States having a historical and cultural link with those treasures;

5. *Appeals* to Member States to co-operate closely with the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation and to conclude bilateral agreements for this purpose;

6. *Also appeals* to Member States to encourage the mass information media and educational and cultural institutions to strive to arouse a greater and more general awareness with regard to the return or restitution of cultural property to its country of origin;

7. *Takes note with satisfaction* of the importance accorded by the World Conference on Cultural Policies, held at Mexico City from 26 July to 6 August 1982, to the question of the return or restitution of cultural property during the debate on cultural policies;

8. *Endorses* the opinion expressed at the World Conference on Cultural Policies that the return of cultural property to its country of origin should be accompanied by

the training of key personnel and technicians and the provision of the necessary facilities for the satisfactory conservation and presentation of the property restored;<sup>39</sup>

9. *Invites once again* those Member States that have not yet done so to sign and ratify the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;

10. *Requests* the Secretary-General, in co-operation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its fortieth session a report on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its fortieth session the item entitled "Return or restitution of cultural property to the countries of origin".

71st plenary meeting  
25 November 1983

### 38/36. Question of Namibia

#### A

#### SITUATION IN NAMIBIA RESULTING FROM THE ILLEGAL OCCUPATION OF THE TERRITORY BY SOUTH AFRICA

*The General Assembly,*

*Having examined* the report of the United Nations Council for Namibia<sup>40</sup> and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>41</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

*Recalling*, in particular, its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and subsequent resolutions of the General Assembly and the Security Council relating to Namibia, as well as the advisory opinion of the International Court of Justice of 21 June 1971,<sup>42</sup> delivered in response to the request addressed to it by the Security Council in its resolution 284 (1970) of 29 July 1970,

*Recalling also* its resolutions 3111 (XXVIII) of 12 December 1973 and 31/146 and 31/152 of 20 December 1976, by which it, *inter alia*, recognized the South West Africa People's Organization as the sole and authentic representative of the Namibian people and granted observer status to it,

*Recalling further* its resolutions ES-8/2 of 14 September 1981 and 36/121 B of 10 December 1981, by which it called upon States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it politically, economically, militarily and culturally,

*Recalling* the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>43</sup>

*Recalling* the Paris Declaration on Namibia and the report of the Committee of the Whole and the Programme of Action on Namibia adopted at the International Confer-

<sup>39</sup> See A/38/456, p. 12, para. 17.

<sup>40</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 24 (A/38/24).

<sup>41</sup> *Ibid.*, Supplement No. 23 (A/38/23), chaps. I-VI and VIII.

<sup>42</sup> *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, I.C.J. Reports 1971, p. 16.

<sup>43</sup> A/38/132-S/15675 and Corr.1 and 2, annex, sect. 1.

ence in Support of the Struggle of the Namibian People for Independence,<sup>44</sup>

*Recalling* the debate on the question of Namibia held in the Security Council from 23 May to 1 June 1983,<sup>45</sup>

*Recalling* the resolution on Namibia adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,<sup>46</sup>

*Strongly reiterating* that the continuing illegal and colonial occupation of Namibia by South Africa, in defiance of repeated General Assembly and Security Council resolutions, constitutes an act of aggression against the Namibian people and a challenge to the authority of the United Nations, which has direct responsibility for Namibia until independence.

*Stressing* the grave responsibility of the international community to take all possible measures in support of the Namibian people in their liberation struggle under the leadership of their sole and authentic representative, the South West Africa People's Organization.

*Reaffirming* its full support for the armed struggle of the Namibian people under the leadership of the South West Africa People's Organization to achieve self-determination, freedom and national independence in a united Namibia.

*Indignant* at South Africa's refusal to comply with repeated resolutions of the Security Council, in particular resolutions 385 (1976) of 30 January 1976, 435 (1978) of 29 September 1978, 439 (1978) of 13 November 1978 and 532 (1983) of 31 May 1983, and at its manoeuvres aimed at perpetuating its brutal domination and exploitation of the Namibian people, as repeatedly manifested in the course of the consultations for the implementation of the United Nations plan for the independence of Namibia.

*Commending* the front-line States and the South West Africa People's Organization for the statesmanlike and constructive attitude which they have displayed throughout the consultations to implement Security Council resolution 435 (1978).

*Strongly condemning* South Africa's continued illegal occupation of Namibia, its brutal repression of the Namibian people and its ruthless exploitation of the people and resources of Namibia, as well as its attempts to destroy the national unity and territorial integrity of Namibia.

*Strongly condemning* the racist régime of South Africa for its efforts to develop a nuclear capability for military and aggressive purposes.

*Deeply concerned* at the increasing militarization of Namibia, the forceful conscription of Namibians, the creation of tribal armies and the use of mercenaries for internal repression and external aggression.

*Noting with grave concern* that, as a result of the Security Council's failure on 31 August 1981,<sup>47</sup> on account of the veto of the United States of America, to exercise its responsibilities, unprovoked massive armed aggression against Angola continues and recently has escalated to extremely dangerous proportions.

*Expressing its strong condemnation* of South Africa's continuing acts of aggression against independent African States, particularly Angola, which have caused extensive loss of human life and destruction of economic infrastructures.

*Reaffirming* that the resources of Namibia are the inalienable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the illegal colonial administration, in violation of the Charter of the United Nations, of the relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia,<sup>48</sup> enacted by the United Nations Council for Namibia on 27 September 1974, and in disregard of the advisory opinion of the International Court of Justice of 21 June 1971, is illegal and contributes to the maintenance of the illegal occupation régime.

*Deeply deploring* the continued collaboration with South Africa of certain Western States, in particular the United States of America, as well as that of Israel, in disregard of the relevant resolutions of the General Assembly and the Security Council.

*Deeply concerned* at the continued assistance rendered to the racist Pretoria régime by certain international organizations and institutions, in particular the International Monetary Fund, in disregard of the relevant resolutions of the General Assembly.

*Indignant* at the continuing arbitrary imprisonment and detention of political leaders and followers of the South West Africa People's Organization, the killing of Namibian patriots and other acts of brutality, including the wanton beating, torture and murder of innocent Namibians, and the arbitrary inhuman measures of collective punishment and measures designed to intimidate the Namibian people and to destroy their will to fulfil their legitimate aspirations for self-determination, freedom and national independence in a united Namibia.

*Noting with grave concern* that the Security Council has been prevented on several occasions from taking effective action against South Africa in the discharge of its responsibilities under Chapter VII of the Charter on account of the vetoes cast by one or more of the Western permanent members of the Security Council.

*Commending* the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it under the relevant resolutions of the General Assembly as the legal Administering Authority for Namibia until independence.

1. *Approves* the report of the United Nations Council for Namibia;<sup>40</sup>

2. *Takes note* of the Paris Declaration on Namibia and the report of the Committee of the Whole and the Programme of Action on Namibia adopted at the International Conference in Support of the Struggle of the Namibian People for Independence;<sup>44</sup>

3. *Takes note* of the debate on the question of Namibia held in the Security Council from 23 May to 1 June 1983, in which the international community overwhelmingly pronounced itself against the establishment of any linkage or parallelism between Namibian independence and extraneous and irrelevant issues, in particular the withdrawal of Cuban forces from Angola;

4. *Reaffirms* the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia, in accordance with the Charter of the United Nations and as recognized in General Assembly resolutions 1514 (XV) and 2145 (XXI) and in subsequent resolutions of the Assembly relating to

<sup>44</sup> Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983 (A/CONF.120/13), part three.

<sup>45</sup> See Official Records of the Security Council, Thirty-eighth Year, 2439th-2444th and 2446th-2451st meetings.

<sup>46</sup> A/38/312, annex, resolution AHG/Res.105 (XIX).

<sup>47</sup> See Official Records of the Security Council, Thirty-sixth Year, 2300th meeting.

<sup>48</sup> Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.



Namibia, as well as the legitimacy of their struggle by all the means at their disposal, including armed struggle, against the illegal occupation of their territory by South Africa;

5. *Reiterates* that, in accordance with its resolution 2145 (XXI), Namibia is the direct responsibility of the United Nations until genuine self-determination and national independence are achieved in the Territory and, for this purpose, reaffirms the mandate given to the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence under resolution 2248 (S-V) and subsequent resolutions of the General Assembly;

6. *Reaffirms* that the South West Africa People's Organization, the national liberation movement of Namibia, is the sole and authentic representative of the Namibian people;

7. *Solemnly reaffirms* that the genuine independence of Namibia can be achieved only with the direct and full participation of the South West Africa People's Organization in all efforts to implement resolutions of the United Nations relating to Namibia and further reaffirms that the only parties to the conflict in Namibia are, on the one hand, South Africa, as the illegal occupying Power, and, on the other, the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative;

8. *Commends* the Namibian people's courage and determination and proclaims its full support for the heroic struggle they are waging under the leadership of the South West Africa People's Organization, their sole and authentic representative, to achieve self-determination, freedom and national independence in a united Namibia;

9. *Strongly condemns* the South African régime for its continued illegal occupation of Namibia in defiance of the resolutions of the United Nations relating to Namibia;

10. *Declares* that South Africa's illegal occupation of Namibia constitutes an act of aggression against the Namibian people in terms of the Definition of Aggression contained in General Assembly resolution 3314 (XXIX) of 14 December 1974 and supports the armed struggle of the Namibian people, under the leadership of the South West Africa People's Organization, to repel South Africa's aggression and to achieve self-determination, freedom and national independence in a united Namibia;

11. *Reiterates* that, in accordance with the resolutions of the United Nations, in particular Security Council resolution 432 (1978) of 27 July 1978 and General Assembly resolutions S-9/2 of 3 May 1978 and 35/227 A of 6 March 1981, Walvis Bay and the offshore islands of Namibia are an integral part of Namibia and that all attempts by South Africa to annex them are therefore illegal, null and void;

12. *Calls upon* the Security Council to declare categorically that Walvis Bay is an integral part of Namibia and that the question should not be left as a matter for negotiation between an independent Namibia and South Africa;

13. *Reaffirms* that Security Council resolution 435 (1978), together with Council resolution 385 (1976), is the only basis for a peaceful settlement of the question of Namibia and calls for its immediate and unconditional implementation without qualification or modification;

14. *Firmly rejects* the manoeuvres by the United States of America and South Africa aimed at undermining the international consensus embodied in Security Council resolution 435 (1978) and at depriving the oppressed people of Namibia of their hard-won victories in the struggle for national liberation;

15. *Firmly rejects and condemns* the persistent attempts by the United States of America and South Africa to establish a linkage or parallelism between the independence of Namibia and any extraneous issues, in particular the withdrawal of Cuban forces from Angola, and emphasizes unequivocally that all such attempts are designed to delay the decolonization process in Namibia and that they constitute interference in the internal affairs of Angola;

16. *Expresses its appreciation* to the front-line States and the South West Africa People's Organization for their statesmanlike and constructive attitude throughout the consultations to implement Security Council resolution 435 (1978);

17. *Strongly condemns* South Africa for obstructing the implementation of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and for its manoeuvres, in contravention of those resolutions, designed to consolidate its colonial and neo-colonial interests at the expense of the legitimate aspirations of the Namibian people for genuine self-determination, freedom and national independence in a united Namibia;

18. *Denounces* all fraudulent constitutional and political schemes through which the illegal racist régime of South Africa may attempt to perpetuate its colonial domination of Namibia and, in particular, calls upon the international community, especially all Member States, to continue to refrain from according any recognition or extending any co-operation to any régime which the illegal South African administration may impose upon the Namibian people in disregard of the present resolution, of Security Council resolutions 385 (1976), 435 (1978) and 439 (1978) and of other relevant resolutions of the General Assembly and the Council;

19. *Strongly condemns* the illegal South African administration in Namibia for its manoeuvres, such as the establishment of another puppet institution in the form of the so-called State Council in direct violation of Security Council resolution 439 (1978), aimed at perpetuating its domination and exploitation of the people and natural resources of the Territory;

20. *Strongly urges* the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people, under the leadership of the South West Africa People's Organization, for self-determination and national liberation, as well as at negating the achievements of their just struggle;

21. *Declares* that all so-called laws and proclamations issued by the illegal occupation régime in Namibia are illegal, null and void;

22. *Calls upon* Member States and the specialized agencies and other international organizations associated with the United Nations to render sustained and increased support as well as material, financial, military and other assistance to the South West Africa People's Organization so as to enable it to intensify its struggle for the liberation of Namibia;

23. *Urges* all Governments and the specialized agencies and other intergovernmental organizations to provide increased material assistance to the thousands of Namibian refugees who have been forced by the *apartheid* régime's oppressive policies to flee Namibia, especially into the neighbouring front-line States;

24. *Calls upon* all Governments, especially those which have close links with South Africa, to support, in co-operation with the United Nations Council for Namibia, the actions of the United Nations to defend the

national rights of the Namibian people until independence;

25. *Condemns* the increased assistance rendered by the major Western countries and Israel to South Africa in the political, economic, financial and particularly the military fields, expresses its conviction that this assistance constitutes a hostile action against the people of Namibia and the front-line States since it is bound to strengthen the military capability of the racist régime, and demands that such assistance be immediately terminated;

26. *Declares* that the resolution on the need for development aid for Namibia, adopted by the European Parliament on 13 January 1983,<sup>49</sup> calling upon the European Economic Community to extend aid to occupied Namibia as well as to so-called "refugees from southern Angola" in Namibia, if implemented, would flout international law by implying recognition of South Africa's presence in Namibia and would subsidize Pretoria's illegal administration of the Territory, while encouraging its acts of aggression against Angola and the occupation of a part of Angolan territory;

27. *Notes*, in this connection, the declaration of the European Parliament of 14 November 1983 concerning the resolution on the need for development aid for Namibia, which the Parliament adopted on 13 January 1983, and the letter of 15 November 1983 from the President of the European Parliament to the Secretary-General underlining that the European Parliament and the European Community support and respect the framework established by the United Nations in respect of Namibia;<sup>50</sup>

28. *Condemns*, in this connection, the visit in August 1983 by four members of the European Parliament to Namibia and the parts of Angolan territory occupied by South Africa;

29. *Strongly condemns* South Africa for its military build-up in Namibia, its introduction of compulsory military service for Namibians, its recruitment and training of Namibians for tribal armies, its use of mercenaries to suppress the Namibian people and to carry out its military attacks against independent African States, its threats and acts of subversion and aggression against those States and the forcible displacement of Namibians from their homes;

30. *Strongly condemns* South Africa for its persistent acts of subversion and aggression against Angola, including the occupation of a part of its territory, and calls upon South Africa to cease all acts of aggression against and withdraw all its troops from that country;

31. *Condemns* the use of the territory of Namibia by the racist régime of South Africa as a staging ground from which to launch armed attacks against neighbouring African States, particularly the repeated unprovoked acts of aggression against and invasion of Angola, including occupation of parts of that country, in order to intimidate those States and, *inter alia*, to prevent them from supporting the legitimate struggle of the Namibian and South African peoples for freedom and independence;

32. *Condemns* the continuing military and nuclear collaboration on the part of certain Western States and Israel with the racist régime of South Africa, which is encouraging the Pretoria régime in its defiance of the international community and obstructing efforts to eliminate *apartheid* and bring South Africa's illegal occupation of Namibia to an end, and urges those States to cease and desist forthwith from such collaboration with South Africa, which is in violation of the arms embargo imposed against South

Africa under Security Council resolution 418 (1977) of 4 November 1977;

33. *Expresses its grave concern* at the acquisition of nuclear weapons capability by the racist régime of South Africa, with its record of violence and aggression, and declares that such acquisition constitutes a further attempt on its part to terrorize and intimidate independent States in the region into submission, while also posing a danger to all mankind;

34. *Strongly condemns* the collusion by the Governments of certain Western and other States, particularly those of the United States of America and Israel, with the racist régime of South Africa in the nuclear field and calls upon France and all other States to refrain from supplying the racist minority régime of South Africa, directly or indirectly, with installations that might enable it to produce uranium, plutonium or other nuclear materials, reactors or military equipment;

35. *Calls upon* the international community to extend, as a matter of urgency, full support and assistance, including military assistance, to the front-line States in order to enable them to defend their sovereignty and territorial integrity against the repeated acts of aggression by South Africa;

36. *Condemns* South Africa's attempts to thwart the work of the Southern African Development Co-ordination Conference, and calls upon all States to render all possible assistance to the Conference in its efforts to promote regional economic co-operation and development;

37. *Requests* the Secretary-General to continue to develop, in consultation with the United Nations Development Programme, a comprehensive programme of assistance to States that are neighbours of South Africa and Namibia, on the understanding that such assistance should not only envisage the overcoming of short-term difficulties but be designed to enable those States to move towards complete self-reliance, and requests the Secretary-General to report to the General Assembly at its thirty-ninth session on the development of this programme;

38. *Requests* all specialized agencies and other organizations and institutions of the United Nations system to co-operate with the Secretary-General in the development of a comprehensive programme of assistance to States neighbouring South Africa and Namibia;

39. *Reiterates its call* upon all States to take legislative and other appropriate measures to prevent the recruitment, training and transit of mercenaries for service in Namibia;

40. *Strongly condemns* the illegal South African administration for its massive repression of the people of Namibia and their national liberation movement, the South West Africa People's Organization, with the intention of establishing an atmosphere of intimidation and terror for the purpose of imposing upon the Namibian people a political arrangement aimed at undermining the territorial integrity and unity of Namibia as well as perpetuating the systematic plunder of the natural resources of the Territory;

41. *Demands* that South Africa immediately release all Namibian political prisoners, including all those imprisoned or detained under the so-called internal security laws, martial law or any other arbitrary measures, whether such Namibians have been charged or tried or are being held without charge in Namibia or South Africa;

<sup>49</sup> Official Journal of the European Communities, No. C 42/53.

<sup>50</sup> See Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 24 (A/38/24), annex III.

42. *Demands* that South Africa account for all "disappeared" Namibians and release any who are still alive and declares that South Africa shall be liable for damages to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained;

43. *Reaffirms* that the natural resources of Namibia are the birthright of the Namibian people and expresses its deep concern at the rapid depletion of the natural resources of the Territory, particularly its uranium deposits, as a result of their reckless plunder by South Africa and certain Western and other foreign economic interests, in violation of the pertinent resolutions of the General Assembly and of the Security Council, of the advisory opinion of the International Court of Justice of 21 July 1971<sup>42</sup> and of Decree No. 1 for the Protection of the Natural Resources of Namibia;<sup>48</sup>

44. *Declares* that all activities of foreign economic interests in Namibia are illegal under international law and that consequently South Africa and all the foreign economic interests operating in Namibia are liable to pay damages to the future lawful Government of an independent Namibia;

45. *Strongly condemns* the activities of all foreign economic interests operating in Namibia under the illegal South African administration which are illegally exploiting the resources of the Territory and demands that transnational corporations engaged in such exploitation comply with all the relevant resolutions of the United Nations by immediately refraining from any new investment or activities in Namibia, by withdrawing from the Territory and by putting an end to their co-operation with the illegal South African administration;

46. *Requests once again* all Member States to take all appropriate measures, including legislation and enforcement action, to ensure the full application of, and compliance by all corporations and individuals within their jurisdiction with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia;

47. *Declares* that, by their depletive exploitation of natural resources and continued accumulation and repatriation of huge profits, the activities of foreign economic, financial and other interests operating at present in Namibia constitute a major obstacle to its independence;

48. *Calls upon* the Governments of all States, particularly those whose corporations are involved in the mining and processing of Namibian uranium, to take all appropriate measures in the context of the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, including the practice of requiring negative certificates of origin, to prohibit and prevent State-owned and other corporations, together with their subsidiaries, from dealing in Namibian uranium and from engaging in any uranium-prospecting activities in Namibia;

49. *Requests* the Governments of the Federal Republic of Germany, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which operate the Urenco uranium-enrichment plant, to have Namibian uranium specifically excluded from the Treaty of Almelo, which regulates the activities of Urenco;

50. *Deeply deplores* the continued collaboration of the International Monetary Fund with South Africa in disregard of General Assembly resolution 37/2 of 21 October 1982, and calls upon the Fund to put an end to such collaboration;

51. *Reiterates its request* to all States, pending the imposition of mandatory sanctions against South Africa, to take legislative, administrative and other measures unilaterally and collectively, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with General Assembly resolutions ES-8/2 and 36/121 B and 37/233A of 20 December 1982;

52. *Requests* the United Nations Council for Namibia to continue to follow the implementation of the provisions of paragraph 51 above on the basis of information received from States as well as from other sources;

53. *Requests* the United Nations Council for Namibia, in implementation of paragraph 15 of General Assembly resolution ES-8/2 and of the relevant provisions of Assembly resolutions 36/121 B and 37/233 A, to continue to monitor the boycott of South Africa and to submit to the Assembly at its thirty-ninth session a comprehensive report on all contacts between all States and South Africa, containing an analysis of the information received from Member States and other sources on the continuing political, economic, financial and other relations of States and their economic and other interest groups with South Africa and of measures taken by States to terminate all dealings with the racist régime of South Africa;

54. *Requests* all States to co-operate fully with the United Nations Council for Namibia in the fulfilment of its tasks concerning the implementation of General Assembly resolutions ES-8/2, 36/121 B and 37/233 A and to report to the Secretary-General by the thirty-ninth session of the Assembly on the measures taken by them in the implementation of those resolutions;

55. *Requests* the Secretary-General to seek to ensure that all banks, corporations and other institutions with which the United Nations has contracts are in compliance with United Nations sanctions policies against South Africa;

56. *Declares* that the liberation struggle in Namibia is a conflict of an international character in terms of article 1, paragraph 4, of Additional Protocol I<sup>51</sup> to the Geneva Conventions of 12 August 1949<sup>52</sup> and, in this regard, demands that the Conventions and Additional Protocol I be applied by South Africa, and in particular that all captured freedom fighters be accorded prisoner-of-war status as called for by the Geneva Convention relative to the Treatment of Prisoners of War<sup>53</sup> and Additional Protocol thereto;

57. *Declares* that South Africa's defiance of the United Nations, its illegal occupation of the Territory of Namibia, its war of repression against the Namibian people, its persistent acts of aggression launched from bases in Namibia against independent African States, its policies of *apartheid* and its development of nuclear weapons constitute a serious threat to international peace and security;

58. *Strongly urges* the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing comprehensive mandatory sanctions against that country, as provided for in Chapter VII of the Charter of the United Nations;

59. *Calls upon* the Security Council to adopt the necessary measures to tighten the arms embargo imposed against South Africa under Council resolution 418 (1977) and to ensure strict compliance with the embargo by all States;

<sup>51</sup> A/32/144, annex I.

<sup>52</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

<sup>53</sup> *Ibid.*, No. 972, p. 135.

60. *Further calls upon* the Security Council to implement, as a matter of urgency, the recommendations contained in the report of the Committee established by Council resolution 421 (1977);<sup>54</sup>

61. *Deplores* the decision of the Government of the United Kingdom and Northern Ireland to supply radar equipment to South Africa and urges the Security Council Committee established in pursuance of resolution 421 (1977) to take appropriate action to ensure that the mandatory arms embargo against South Africa is not violated;

62. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

*79th plenary meeting  
1 December 1983*

## B

### IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 435 (1978)

*The General Assembly.*

*Indignant* at South Africa's refusal to comply with Security Council resolutions 385 (1976) of 30 January 1976, 431 (1978) of 27 July 1978, 435 (1978) of 29 September 1978, 439 (1978) of 13 November 1978 and 532 (1983) of 31 May 1983 and at its manoeuvres aimed at gaining international recognition for illegitimate groups which it has installed in Namibia, and which are subservient to Pretoria's interests, in order to maintain its policies of domination and exploitation of the people and natural resources of Namibia.

*Reaffirming* the imperative need to proceed without any further delay with the implementation of Security Council resolution 435 (1978), which, together with Council resolution 385 (1976), is the only basis for a peaceful settlement of the question of Namibia.

*Condemning* the attempts by South Africa and the United States of America to continue to deny the Namibian people their inalienable right to self-determination and independence by linking the independence of Namibia with totally irrelevant and extraneous issues.

*Reaffirming* that the Cuban forces are in Angola by a sovereign act of the Government of Angola, in accordance with the provisions of the Charter of the United Nations, and that the attempts to link their presence in that country with Namibia's independence constitute interference in the internal affairs of Angola.

*Reaffirming* that the only parties to the conflict in Namibia are, on the one hand, the Namibian people represented by the South West Africa People's Organization, their sole and authentic representative, and, on the other, the racist régime of South Africa which illegally occupies Namibia.

*Recalling* its request to the Security Council, in the light of the serious threat to international peace and security posed by South Africa, to respond positively to the overwhelming demand of the international community by immediately imposing comprehensive mandatory sanctions against that country as provided for in Chapter VII of the Charter of the United Nations.

*Recalling* its call upon all States, in view of the threat to international peace and security posed by South Africa, to impose comprehensive mandatory sanctions against that country in accordance with the provisions of the Charter,<sup>55</sup>

*Taking note* of the further reports of the Secretary-General dated 19 May 1983<sup>56</sup> and 29 August 1983<sup>57</sup> concerning the implementation of Security Council resolutions 435 (1978) and 439 (1978) concerning the question of Namibia.

1. *Strongly condemns* South Africa for obstructing the implementation of Security Council resolutions 385 (1976), 435 (1978), 439 (1978) and 532 (1983) and for its manoeuvres, in contravention of those resolutions, designed to consolidate its colonial and neo-colonial interests at the expense of the legitimate aspirations of the Namibian people for genuine self-determination, freedom and national independence in a united Namibia:

2. *Reaffirms* the direct responsibility of the United Nations for Namibia pending its achievement of genuine self-determination and national independence;

3. *Reiterates* that Security Council resolution 435 (1978), in which the Council endorsed the United Nations plan for the independence of Namibia, is the only basis for a peaceful settlement of the question of Namibia and demands its immediate and unconditional implementation without qualification, modification or amendment or the introduction of extraneous and irrelevant issues of "linkage", "parallelism" or "reciprocity" insisted upon by the United States of America and South Africa;

4. *Emphasizes once again* that the only parties to the conflict in Namibia are, on the one hand, the Namibian people represented by the South West Africa People's Organization, their sole and authentic representative, and, on the other, the racist régime of South Africa, which illegally occupies Namibia;

5. *Demands* that South Africa urgently comply fully and unconditionally with the resolutions of the Security Council, in particular resolutions 385 (1976) and 435 (1978) and subsequent resolutions of the Council relating to Namibia;

6. *Firmly rejects and condemns* the persistent attempts by the United States of America and South Africa to establish a linkage or parallelism between the independence of Namibia and any extraneous and irrelevant issues, in particular the presence of Cuban forces in Angola, and emphasizes unequivocally that all such attempts are designed to delay the decolonization process in Namibia and that they constitute interference in the internal affairs of Angola;

7. *Calls upon* all States to condemn and reject any attempt to link the independence of Namibia with extraneous and irrelevant issues;

8. *Expresses its dismay* at the fact that the Security Council has been prevented by its three Western permanent members from adopting effective measures against South Africa in the discharge of its responsibilities for the maintenance of international peace and security, and considers that comprehensive and mandatory sanctions under Chapter VII of the Charter of the United Nations, if universally and effectively implemented, would ensure South Africa's compliance with the decisions of the United Nations;

<sup>54</sup> *Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980, document S/14179.*

<sup>55</sup> See resolution ES/8-2.

<sup>56</sup> *Official Records of the Security Council, Thirty-eighth Year, Supplement for April, May and June 1983, document S/15776.*

<sup>57</sup> *Ibid., Supplement for July, August and September 1983, document S/15943.*

9. *Requests* the Security Council to exercise its authority with regard to the implementation of its resolutions 385 (1976), 435 (1978) and 532 (1983) so as to bring about the independence of Namibia without further delay, and to act decisively against any dilatory manoeuvres and fraudulent schemes of the South African administration in Namibia aimed at frustrating the legitimate struggle of the Namibian people for independence;

10. *Urges* the Security Council to impose comprehensive mandatory sanctions against the racist régime of South Africa under Chapter VII of the Charter, in order to ensure the total cessation of all co-operation with that régime, particularly in the military and nuclear fields, by Governments, corporations, institutions and individuals;

11. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

79th plenary meeting  
1 December 1983

### C

#### PROGRAMME OF WORK OF THE UNITED NATIONS COUNCIL FOR NAMIBIA

*The General Assembly,*

*Having examined* the report of the United Nations Council for Namibia,<sup>40</sup>

*Reaffirming* that Namibia is the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence in a united Namibia,

*Recalling* its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence,

*Taking into consideration* the Paris Declaration on Namibia and the report of the Committee of the Whole and the Programme of Action on Namibia adopted at the International Conference in Support of the Struggle of the Namibian People for Independence,<sup>44</sup>

*Convinced* of the need for continued consultations with the South West Africa People's Organization in the formulation and implementation of the programme of work of the United Nations Council for Namibia, as well as in any matter of interest to the Namibian people,

*Deeply conscious* of the urgent and continuing need to press for the termination of South Africa's illegal occupation of Namibia and to put an end to its repression of the Namibian people and its exploitation of the natural resources of the Territory,

1. *Approves* the report of the United Nations Council for Namibia, including the recommendations contained therein, and decides to make adequate financial provision for their implementation;

2. *Expresses its strong support* for the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it both as the legal Administering Authority for Namibia and as a policy-making organ of the United Nations;

3. *Requests* all Member States to co-operate fully with the United Nations Council for Namibia in the discharge of the mandate entrusted to it under the provisions of General Assembly resolution 2248 (S-V) and subsequent resolutions of the Assembly;

4. *Decides* that the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia until independence, shall:

(a) Continue to mobilize international support in order to press for the speedy withdrawal of the illegal South African administration from Namibia in accordance with the resolutions of the United Nations relating to Namibia;

(b) Counter the policies of South Africa against the Namibian people and against the United Nations, as well as against the United Nations Council for Namibia as the legal Administering Authority for Namibia;

(c) Denounce and seek the rejection by all States of all fraudulent constitutional or political schemes through which South Africa may attempt to perpetuate its presence in Namibia;

(d) Ensure non-recognition of any administration or entity installed at Windhoek not issuing from free elections in Namibia conducted under the supervision and control of the United Nations, in accordance with the relevant resolutions of the Security Council, in particular resolution 439 (1978) of 13 November 1978;

(e) Undertake a concerted effort to counter the attempts to establish linkage or parallelism between the decolonization of Namibia and extraneous issues such as the withdrawal of Cuban forces from Angola;

5. *Decides* that the United Nations Council for Namibia shall:

(a) Consult Governments in order to further the implementation of United Nations resolutions on the question of Namibia and to mobilize support for the cause of Namibia;

(b) Represent Namibia in United Nations conferences and intergovernmental and non-governmental organizations, bodies and conferences to ensure that the rights and interests of Namibia shall be adequately protected;

6. *Decides* that Namibia, represented by the United Nations Council for Namibia, shall participate as a full member in all conferences and meetings organized by the United Nations to which all States, or, in the case of regional conferences and meetings, all African States are invited;

7. *Requests* all committees and other subsidiary bodies of the General Assembly and of the Economic and Social Council to continue to invite a representative of the United Nations Council for Namibia to participate whenever the rights and interests of Namibians are discussed, and to consult closely with the Council before submitting any draft resolution which may involve the rights and interests of Namibians;

8. *Reiterates its request* to all specialized agencies and other organizations and institutions of the United Nations system to grant full membership to Namibia, represented by the United Nations Council for Namibia, so that the Council may participate as the legal Administering Authority for Namibia in the work of those agencies, organizations and institutions;

9. *Reiterates its request* to all specialized agencies and other organizations of the United Nations system that have not yet done so to grant a waiver of the assessment of Namibia during the period in which it is represented by the United Nations Council for Namibia;

10. *Again requests* all intergovernmental organizations, bodies and conferences to ensure that the rights and interests of Namibia are protected and to invite Namibia, represented by the United Nations Council for Namibia, to participate as a full member whenever such rights and interests are involved;

11. *Takes note* of the ratification by the United Nations Council for Namibia of the United Nations Convention on the Law of the Sea;<sup>58</sup>

12. *Takes note* of the accession by the United Nations Council for Namibia, in its capacity as legal Administering Authority for Namibia, to the Geneva Conventions of 12 August 1949<sup>52</sup> and the Additional Protocols thereto<sup>59</sup> and requests the Council to accede to such other international conventions as it may deem appropriate;

13. *Takes note* of the signing by the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia, of the Final Act of the United Nations Conference on Succession of States in respect of State Property, Archives and Debts;<sup>60</sup>

14. *Requests* the United Nations Council for Namibia to promote and secure the implementation of the Programme of Action for Namibia adopted at the International Conference in Support of the Struggle of the Namibian People for Independence;<sup>44</sup>

15. *Decides* that the United Nations Council for Namibia shall:

(a) Review the progress of the liberation struggle in Namibia in its political, military and social aspects and prepare periodic reports related thereto;

(b) Consider the compliance of Member States with the relevant United Nations resolutions relating to Namibia, taking into account the advisory opinion of the International Court of Justice of 21 June 1971;<sup>42</sup>

(c) Consider the activities of foreign economic interests operating in Namibia with a view to recommending appropriate policies to the General Assembly in order to counter the support which those foreign economic interests give to the illegal South African administration in Namibia;

(d) Continue to examine the exploitation of and trade in Namibian uranium by foreign economic interests and report on its findings to the General Assembly at its thirtieth session;

(e) Notify the Governments of States whose corporations, whether public or private, operate in Namibia of the illegality of such operations;

(f) Send missions of consultation to Governments of States whose corporations have investments in Namibia in order to review with them all possible action to discourage the continuation of such investments;

(g) Contact administering and managing bodies of foreign corporations operating in Namibia regarding the illegal basis on which they are operating in the Territory;

(h) Contact specialized agencies and international institutions associated with the United Nations, in particular the International Monetary Fund, with a view to protecting Namibia's interests;

(i) Draw the attention of the specialized agencies to Decree No. 1 for the Protection of the Natural Resources of Namibia,<sup>48</sup> enacted by the United Nations Council for Namibia on 27 September 1974;

(j) Take all measures to ensure compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, including consideration of the institution of legal proceedings in the domestic courts of States and other appropriate bodies;

(k) Undertake, in consultation with the South West Africa People's Organization, urgent consultations with the Commission of the European Communities and the

European Parliament in order to ensure that no action is taken which implies recognition of South Africa's illegal administration in Namibia;

(l) Conduct hearings, seminars and workshops in order to obtain relevant information on the exploitation of the people and resources of Namibia by South African and other foreign interests and to expose such activities;

(m) Organize regional symposia on the situation in Namibia with a view to intensifying active support for the Namibian cause;

(n) Prepare and publish reports on the political, economic, military, legal and social situation in and relating to Namibia;

(o) Secure the territorial integrity of Namibia as a unitary State, including Walvis Bay and the offshore islands of Namibia;

16. *Decides* to make adequate financial provision in the section of the programme budget of the United Nations relating to the United Nations Council for Namibia to finance the office of the South West Africa People's Organization in New York in order to ensure appropriate representation of the people of Namibia at the United Nations through the South West Africa People's Organization;

17. *Decides* to continue to defray the expenses of representatives of the South West Africa People's Organization, whenever the United Nations Council for Namibia so decides;

18. *Requests* the United Nations Council for Namibia to continue to consult with the South West Africa People's Organization in the formulation and implementation of its programme of work, as well as in any matter of interest to the Namibian people;

19. *Requests* the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia, to hold a series of plenary meetings in Asia during 1984 and to recommend appropriate action to the General Assembly in the light of South Africa's refusal to implement Security Council resolution 435 (1978) of 29 September 1978;

20. *Requests* the Secretary-General to defray the cost of the plenary meetings of the United Nations Council for Namibia and to provide the necessary staff and services for them;

21. *Requests* the Secretary-General, in consultation with the President of the United Nations Council for Namibia, to review the requirements in personnel and facilities of all units which service the Council so that the Council may fully and effectively discharge all tasks and functions arising out of its mandate;

22. *Requests* the Secretary-General to provide the Office of the United Nations Commissioner for Namibia with the necessary resources in order for it to strengthen, under the guidance of the United Nations Council for Namibia, the assistance programmes and services for Namibians, the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, the preparation of economic and legal studies and the existing activities of dissemination of information undertaken by that Office.

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<sup>58</sup> *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.2), document A/CONF.62/122.

<sup>59</sup> A/32/144, annexes I and II.

<sup>60</sup> A/CONF.117/15.

## D

## DISSEMINATION OF INFORMATION AND MOBILIZATION OF INTERNATIONAL PUBLIC OPINION IN SUPPORT OF NAMIBIA

*The General Assembly.*

Having examined the report of the United Nations Council for Namibia<sup>40</sup> and the relevant chapters of the report of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>41</sup>

Recalling its resolutions 2145 (XXI) of 27 October 1966, 2248 (S-V) of 19 May 1967 and 37/233 of 20 December 1982, as well as all other resolutions of the General Assembly and the Security Council relating to Namibia.

Taking into consideration the Paris Declaration on Namibia and the report of the Committee of the Whole and the Programme of Action on Namibia adopted at the International Conference in Support of the Struggle of the Namibian People for Independence.<sup>44</sup>

Taking into consideration also the conclusions and recommendations adopted at the Regional Symposium in Support of the Namibian Cause in Latin America, held at San José, from 16 to 19 August 1983.<sup>61</sup>

Stressing the urgent need to mobilize international public opinion on a continuous basis with a view to assisting effectively the people of Namibia in the achievement of self-determination, freedom and independence in a united Namibia and, in particular, to intensify the world-wide and continuous dissemination of information on the struggle for liberation being waged by the people of Namibia under the leadership of the South West Africa People's Organization, their sole and authentic representative.

Recognizing the important role that non-governmental organizations are playing in the dissemination of information on Namibia and in the mobilization of international public opinion in support of the Namibian cause,

Reiterating the importance of publicity as an instrument for furthering the mandate given by the General Assembly to the United Nations Council for Namibia and mindful of the pressing need for the Department of Public Information of the Secretariat to intensify its efforts to acquaint world public opinion with all aspects of the question of Namibia, in accordance with policy guidelines formulated by the Council,

1. Requests the United Nations Council for Namibia, in pursuance of its international campaign in support of the struggle of the Namibian people for independence, to continue to consider ways and means of increasing the dissemination of information relating to Namibia;

2. Requests the Secretary-General to ensure that the Department of Public Information of the Secretariat, in all its activities of dissemination of information on the question of Namibia, follows the policy guidelines laid down by the United Nations Council for Namibia as the legal Administering Authority for Namibia;

3. Requests the Secretary-General to direct the Department of Public Information, in addition to its responsibilities relating to southern Africa, to assist, as a matter of priority, the United Nations Council for Namibia in the implementation of its programme of dissemination of information in order that the United Nations may intensify its efforts to generate publicity and disseminate information with a view to mobilizing public support for the

independence of Namibia, particularly in the Western States;

4. Decides to intensify its international campaign in support of the cause of Namibia and to expose and denounce the collusion of the United States of America, certain other Western States and Israel with the South African racists and, to this end, requests the United Nations Council for Namibia to include in its programme of dissemination of information for 1984 the following activities:

(a) Preparation and dissemination of publications on the political, economic, military and social consequences of the illegal occupation of Namibia by South Africa, as well as on legal matters, on the question of the territorial integrity of Namibia and on contacts between Member States and South Africa;

(b) Production and dissemination of radio programmes in English, French, German and Spanish designed to draw the attention of world public opinion to the current situation in Namibia;

(c) Production of material for publicity through radio and television broadcasts;

(d) Placement of advertisements in newspapers and magazines;

(e) Production of films, film-strips and slide sets on Namibia;

(f) Production and dissemination of posters;

(g) Full utilization of the resources related to press releases, press conferences and press briefings in order to maintain a constant flow of information to the public on all aspects of the question of Namibia;

(h) Production and dissemination of a comprehensive economic map of Namibia;

(i) Preparation and wide dissemination of a booklet containing resolutions of the General Assembly and the Security Council relating to Namibia, together with relevant portions of Assembly resolutions on the activities of foreign economic interests in Namibia and on military activities in Namibia;

(j) Publicity for and distribution of an indexed reference book on transnational corporations involved in Namibia;

(k) Preparation and dissemination of a booklet based on a study on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia,<sup>48</sup> enacted by the Council on 27 September 1974;

(l) Acquisition of books, pamphlets and other materials relating to Namibia for further dissemination;

5. Requests the United Nations Council for Namibia to organize a symposium to be held at United Nations Headquarters in 1984 with the participation of prominent personalities, scholars, support groups, media personalities and others from all parts of the world, in order to mark the one hundredth anniversary of the heroic struggle of the Namibian people against colonial occupation and the plunder of the natural resources of their country and for self-determination, freedom and independence, and to draw the attention of the world public, particularly in the Western countries, to the question of Namibia, with a view to further mobilizing international support for the just struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, to bring about the speedy independence of Namibia;

<sup>61</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 24 (A/38/24), para. 576.

6. *Requests* the Secretary-General to allocate, in consultation with the United Nations Council for Namibia, sales numbers to publications on Namibia selected by the Council;

7. *Requests* the Secretary-General to provide the United Nations Council for Namibia with the work programme of the Department of Public Information for the year 1984 covering the activities of dissemination of information on Namibia, followed by periodic reports on the programmes undertaken, including details of expenses incurred;

8. *Requests* the Secretary-General to group under a single heading, in the section of the proposed programme budget of the United Nations for the biennium 1984-1985 relating to the Department of Public Information, all the activities of the Department relating to the dissemination of information on Namibia;

9. *Requests* the Secretary-General to direct that the United Nations Day students' leaflet for 1984 be devoted to the question of Namibia;

10. *Requests* Member States to broadcast programmes on their national radio and television networks and to publish material in their official news media, informing their populations about the situation in Namibia and the obligation of Governments and peoples to assist in the struggle of Namibians for independence;

11. *Requests* the United Nations Council for Namibia, in co-operation with the Department of Public Information and the Department of Conference Services of the Secretariat, to continue to inform and provide information material to leading opinion makers, media leaders, academic institutions, trade unions, cultural organizations, support groups and other concerned persons and non-governmental organizations about the objectives and functions of the United Nations Council for Namibia and the struggle of the Namibian people under the leadership of the South West Africa People's Organization and also to hold consultations with, and seek the co-operation of, those personalities and institutions by inviting them on special occasions to participate in the deliberations of the Council, and to establish for this purpose a regular and expeditious pattern of distribution of information material to political parties, universities, libraries, churches, students, teachers, professional associations and others falling into the general categories enumerated above;

12. *Requests* all Member States to commemorate and publicize Namibia Day and to issue special postage stamps for the occasion;

13. *Requests* the Secretary-General to direct the United Nations Postal Administration to issue a special postage stamp on Namibia by the end of 1984 in commemoration of Namibia Day;

14. *Calls upon* the United Nations Council for Namibia to enlist the support of non-governmental organizations in its efforts to mobilize international public opinion in support of the liberation struggle of the Namibian people and of their sole and authentic representative, the South West Africa People's Organization;

15. *Requests* the United Nations Council for Namibia to prepare, update and continually disseminate lists of non-governmental organizations from all over the world, in particular those in the major Western States, in order to ensure better co-operation and co-ordination among non-governmental organizations working in support of the Namibian cause and against *apartheid*;

16. *Requests* those non-governmental organizations and support groups that are actively engaged in supporting the struggle of the Namibian people under the leadership of the South West Africa People's Organization, their sole and authentic representative, to continue to intensify, in co-operation with the United Nations Council for Namibia, international action in support of the liberation struggle of the Namibian people, including assistance to the Council in the monitoring of the boycott of South Africa called for in General Assembly resolution ES-8/2 of 14 September 1981;

17. *Decides* to allocate the sum of \$300,000 to be used by the United Nations Council for Namibia for its programme of co-operation with non-governmental organizations, including support to conferences in solidarity with Namibia arranged by those organizations, dissemination of conclusions of such conferences and support to such other activities as will promote the cause of the liberation struggle of the Namibian people, subject to decisions of the Council in each individual case on the recommendation of the South West Africa People's Organization.

79th plenary meeting  
1 December 1983

## E

### UNITED NATIONS FUND FOR NAMIBIA

*The General Assembly,*

*Having examined* the parts of the report of the United Nations Council for Namibia relating to the United Nations Fund for Namibia,<sup>62</sup>

*Recalling* its resolution 2679 (XXV) of 9 December 1970, by which it established the United Nations Fund for Namibia,

*Recalling also* its resolution 3112 (XXVIII) of 12 December 1973, by which it appointed the United Nations Council for Namibia trustee of the United Nations Fund for Namibia,

*Recalling* its resolution 31/153 of 20 December 1976, by which it decided to launch the Nationhood Programme for Namibia,

*Recalling further* its resolution 34/92 A of 12 December 1979, by which it approved the Charter of the United Nations Institute for Namibia, and resolution 37/233 E of 20 December 1982, by which it approved amendments to the Charter,<sup>63</sup>

1. *Takes note* of the relevant parts of the report of the United Nations Council for Namibia;

2. *Decides* that the United Nations Council for Namibia shall:

(a) Continue to formulate policies of assistance to Namibians and co-ordinate assistance for Namibia provided by the specialized agencies and other organizations and institutions of the United Nations system;

(b) Continue to act as trustee of the United Nations Fund for Namibia and, in this capacity, administer and manage the Fund;

(c) Continue to provide broad guidelines and formulate principles and policies for the United Nations Institute for Namibia;

(d) Continue to co-ordinate, plan and direct the Nationhood Programme for Namibia in consultation with

<sup>62</sup> *Ibid.*, Supplement No. 24 (A/38/24), part two, chap. X and chap. XI, sect. B.

<sup>63</sup> For the text of the Charter of the United Nations Institute for Namibia, as amended, see *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24), annex IV.*



the South West Africa People's Organization, with the aim of consolidating all measures of assistance by the specialized agencies and other organizations and institutions of the United Nations system into a comprehensive assistance programme;

(e) Continue to consult with the South West Africa People's Organization in the formulation and implementation of assistance programmes for Namibians;

(f) Report to the General Assembly at its thirty-ninth session on activities in respect of the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia;

3. *Decides* that the United Nations Fund for Namibia, including the Trust Funds for the Nationhood Programme for Namibia and the United Nations Institute for Namibia, shall be the primary source of assistance to Namibians;

4. *Expresses its appreciation* to all States, specialized agencies and other organizations of the United Nations system, governmental and non-governmental organizations and individuals that have made voluntary contributions to the United Nations Fund for Namibia, the United Nations Institute for Namibia and the Nationhood Programme for Namibia, and calls upon them to increase their assistance to Namibians through those channels;

5. *Decides* to allocate as a temporary measure to the United Nations Fund for Namibia the sum of \$1 million from the regular budget of the United Nations for 1984;

6. *Requests* the Secretary-General and the President of the United Nations Council for Namibia to intensify appeals to Governments, intergovernmental and non-governmental organizations and individuals for generous voluntary contributions to the General Account of the United Nations Fund for Namibia and to the Trust Funds for the Nationhood Programme for Namibia and the United Nations Institute for Namibia and, in this connection, emphasizes the need for contributions in order to increase the number of scholarships awarded to Namibians under the United Nations Fund for Namibia;

7. *Invites* Governments to appeal once more to their national organizations and institutions for voluntary contributions to the United Nations Fund for Namibia;

8. *Urges* the organizations of the United Nations system to waive agency support costs in respect of projects in favour of Namibians financed from the United Nations Fund for Namibia and other sources; and in cases where such costs cannot be waived, urges the organizations to treat contributions from the United Nations Fund for Namibia as Government cash counterpart contributions in accordance with decision 83/10 B of 24 June 1983 of the Governing Council of the United Nations Development Programme;<sup>64</sup>

9. *Commends* the progress made in the implementation of the pre-independence components of the Nationhood Programme for Namibia and requests the United Nations Council for Namibia to elaborate and consider in due course policies and contingency plans regarding the transitional and post-independence phases of the Programme;

10. *Commends* the United Nations Institute for Namibia for the effectiveness of its training programmes for Namibians and its research activities on Namibia, which contribute substantially to the struggle for freedom of the Namibian people and to the establishment of an independent State of Namibia;

11. *Requests* the specialized agencies and other organizations and institutions of the United Nations system, when planning and initiating their new measures of assistance to Namibians, to do so within the context of the Nationhood Programme for Namibia and the United Nations Institute for Namibia;

12. *Expresses its appreciation* to those specialized agencies and other organizations and institutions of the United Nations system that have contributed to the Nationhood Programme for Namibia and calls upon them to continue their participation in the Programme by:

(a) Implementing projects approved by the United Nations Council for Namibia;

(b) Preparing new project proposals at the request of the Council;

(c) Allocating funds from their own financial resources for the implementation of the projects approved by the Council;

13. *Requests* the specialized agencies and other organizations and institutions of the United Nations system, in the light of the urgent need to strengthen the programme of assistance to the Namibian people, to make every effort to expedite the execution of Nationhood Programme for Namibia projects and other projects in favour of Namibians and to execute those projects on the basis of procedures which will reflect the role of the United Nations Council for Namibia as the legal Administering Authority for Namibia;

14. *Requests* the United Nations Council for Namibia to complete the preparation of and publish at an early date, through the United Nations Institute for Namibia, a comprehensive reference book on Namibia covering aspects of the question of Namibia as considered by the United Nations since its inception, in accordance with the outline prepared by the Council;

15. *Requests* the United Nations Institute for Namibia to complete the preparation, in co-operation with the South West Africa People's Organization, the Office of the United Nations Commissioner for Namibia and the United Nations Development Programme, of a comprehensive document on all aspects of economic planning in an independent Namibia, and requests the Secretary-General to provide substantive support through the Office of the Commissioner for the preparation of that document;

16. *Requests* the United Nations Council for Namibia to complete the preparation of and publish at an early date, in consultation with the Office of the United Nations Commissioner for Namibia, a demographic study of the Namibian population and a study of its educational needs;

17. *Urges* the specialized agencies and other organizations and institutions of the United Nations system to cooperate closely with the United Nations Institute for Namibia in strengthening its programme of activities;

18. *Expresses its appreciation* to the United Nations Development Programme for its contribution to the financing and administration of the Nationhood Programme for Namibia and the financing of the United Nations Institute for Namibia and calls upon it to continue to allocate, at the request of the United Nations Council for Namibia, funds from the indicative planning figure for Namibia for the implementation of the projects within the Nationhood Programme and for the United Nations Institute for Namibia;

19. *Calls upon* the United Nations Development Programme to raise the indicative planning figure for Namibia;

<sup>64</sup> See *Official Records of the Economic and Social Council, 1983, Supplement No. 9 (E/1983/20), annex I.*

20. *Expresses its appreciation* for the efforts of the United Nations High Commissioner for Refugees to assist Namibian refugees and requests him to expand those efforts in view of the substantial increase in the number of Namibian refugees;

21. *Decides* that Namibians shall continue to be eligible for assistance through the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa;

22. *Requests* the Secretary-General to continue to provide the Office of the United Nations Commissioner for Namibia with the necessary resources for the performance of the responsibilities entrusted to it by the United Nations Council for Namibia as the co-ordinating authority for the implementation of the Nationhood Programme for Namibia, as well as other assistance programmes.

79th plenary meeting  
1 December 1983

### 38/37. Co-operation between the United Nations and the Asian-African Legal Consultative Committee

*The General Assembly,*

*Recalling* its resolutions 36/38 of 18 November 1981 and 37/8 of 29 October 1982,

*Having considered* the report of the Secretary-General on co-operation between the United Nations and the Asian-African Legal Consultative Committee,<sup>65</sup>

*Having heard* the statement of the Secretary-General of the Asian-African Legal Consultative Committee<sup>66</sup> on the continuing close and effective co-operation between the two organizations,

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Notes with deep satisfaction* the ongoing close and effective co-operation between the United Nations and the Asian-African Legal Consultative Committee in the field of progressive development and codification of international law and other areas of common interest;

3. *Requests* the Secretary-General to continue to take steps to strengthen the co-operation between the United Nations and the Asian-African Legal Consultative Committee in the field of progressive development and codification of international law and other areas of common interest;

4. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on co-operation between the United Nations and the Asian-African Legal Consultative Committee;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee".

82nd plenary meeting  
5 December 1983

<sup>65</sup> A/38/491.

<sup>66</sup> *Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings, 82nd meeting, paras. 88-104.*

<sup>67</sup> See also sect. I, footnote 7, and sect. X.B.3, decision 38/407.

<sup>68</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 22 (A/38/22).*

<sup>69</sup> *Ibid.*, Supplement No. 22A (A/38/22/Add.1).

### 38/39. Policies of apartheid of the Government of South Africa<sup>67</sup>

A

#### SITUATION IN SOUTH AFRICA

*The General Assembly,*

*Recalling and reaffirming* its resolution 37/69 of 9 December 1982,

*Having considered* the report of the Special Committee against Apartheid,<sup>68</sup> as well as its special report on recent developments concerning relations between Israel and South Africa,<sup>69</sup>

*Taking note* of the declarations of conferences organized or co-sponsored by the Special Committee, namely, the International Conference of Trade Unions on Sanctions and Other Actions against the Apartheid Régime in South Africa, held at Geneva on 10 and 11 June 1983,<sup>70</sup> the International Conference for Sanctions against Apartheid in Sports, held in London from 27 to 29 June 1983,<sup>71</sup> the International Non-Governmental Organizations Conference on Action against Apartheid and Racism, held at Geneva from 5 to 8 July 1983,<sup>72</sup> the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983,<sup>73</sup> and the Latin American Regional Conference for Action against Apartheid, held at Caracas from 16 to 18 September 1983,<sup>74</sup>

*Gravely concerned* over the threat to international peace and security, and repeated breaches of the peace and acts of aggression, caused by the policies and actions of the racist minority régime of South Africa,

*Condemning* the racist minority régime of South Africa for its repeated defiance of the United Nations, its oppression of the great majority of the people of South Africa and its ruthless repression of all opponents of apartheid,

*Strongly condemning* the execution of Simon Mogoerane, Jerry Mosololi and Thabo Motaung, members of the African National Congress of South Africa, in defiance of appeals by the General Assembly and the Security Council.

*Reaffirming* that apartheid is a crime against humanity,

*Strongly convinced* that peace and stability in southern Africa require the total eradication of apartheid and the exercise of the right of self-determination by all the people of South Africa, irrespective of race, colour or creed,

*Convinced* that the racist minority régime of South Africa has been encouraged to perpetrate those criminal acts by the protection accorded to it by major Western Powers against international sanctions and by their continued collaboration with it,

*Recognizing* that the policies and actions of certain Western Powers and Israel are the main obstacles that have frustrated international efforts for the elimination of apartheid,

*Condemning*, in particular, the increased collaboration by the Government of the United States of America with the racist régime of South Africa, in pursuance of its policy of so-called "constructive engagement", which has encouraged the racist régime to entrench apartheid, intensify repression and escalate aggression against and destabilization of independent African States.

<sup>70</sup> A/38/272-S/15832, annex.

<sup>71</sup> A/38/310-S/15882, annex.

<sup>72</sup> A/38/309-S/15881, annex.

<sup>73</sup> A/38/311-S/15883, annex.

<sup>74</sup> A/38/451-S/16009, annex.

*Condemning* the increasing collaboration by Israel with the racist minority régime of South Africa, particularly in the military and nuclear fields.

*Rejecting* the so-called "constitutional proposals" by the racist minority régime of South Africa as designed to trench *apartheid*.

*Commending* the unity of the oppressed people of South Africa in their opposition to the constitutional proposals as well as in their struggle for the elimination of *apartheid* and for the establishment of a democratic and non-racial society in a non-fragmented South Africa.

*Taking note* of the advance of the armed struggle for liberation undertaken by the national liberation movements in the face of brutal repression of peaceful protest.

*Recognizing* that the legitimate struggle of the South African people for liberation from *apartheid* is a contribution to the objectives of the United Nations.

*Reaffirming* that the elimination of *apartheid* constitutes a major objective of the United Nations.

*Considering* that all the organizations of the United Nations system have a duty to make a maximum contribution, within their mandates, to the international campaign against *apartheid*.

1. *Endorses* the annual report of the Special Committee against *Apartheid* and its special report on recent developments concerning relations between Israel and South Africa;

2. *Declares* that the United Nations and the international community have a special responsibility towards the oppressed people of South Africa and their national liberation movements in their legitimate struggle for the elimination of *apartheid* and the establishment of a non-racial democratic society assuring human rights and fundamental freedoms to all the people of the country, irrespective of race, colour or creed;

3. *Again proclaims* that the national liberation movements of South Africa are the authentic representatives of the people of South Africa in their just struggle for national liberation;

4. *Recognizes* the right of the oppressed people and their national liberation movements to resort to all the means at their disposal, including armed struggle, in their resistance to the illegitimate racist minority régime of South Africa;

5. *Demands* that the racist minority régime of South Africa:

(a) Release persons imprisoned or restricted for their opposition to *apartheid*;

(b) Allow those who have been exiled for their opposition to *apartheid* to return unconditionally to their country;

(c) Rescind bans on political and other organizations and media opposed to *apartheid*;

(d) Terminate all political trials and all repressive measures against opponents of *apartheid*;

6. *Commends* the people of South Africa and their national liberation movements for the great advance in their struggle for national liberation;

7. *Commends* the oppressed people of South Africa and their national liberation movements, particularly the African National Congress of South Africa, for intensifying the armed struggle against the racist régime of South Africa;

8. *Calls upon* all States and organizations to provide all necessary moral, political and material assistance to the

South African liberation movements recognized by the Organization of African Unity at this crucial stage in their struggle for liberation;

9. *Reaffirms* that freedom fighters of South Africa should be treated as prisoners of war in accordance with Additional Protocol I<sup>75</sup> to the Geneva Conventions of 12 August 1949;<sup>76</sup>

10. *Strongly condemns* the *apartheid* régime of South Africa for its brutal repression of all opponents of *apartheid*, its torture and killing of detainees, its execution of freedom fighters and its repeated acts of aggression, subversion and terrorism against independent African States;

11. *Condemns* as an international crime the policy of "bantustanization" designed to dispossess the African majority of its inalienable rights and to deprive it of citizenship, as well as the continuing forced removal of black people;

12. *Condemns* the policies of certain Western States, especially the United States of America, and Israel, and of their transnational corporations and financial institutions that have increased political, economic and military collaboration with the racist minority régime of South Africa despite repeated appeals by the General Assembly;

13. *Again urges* the Security Council to determine that the situation in South Africa and in southern Africa as a whole, resulting from the policies and actions of the *apartheid* régime of South Africa, constitutes a grave and growing threat to international peace and security, and to impose comprehensive and mandatory sanctions against the racist minority régime under Chapter VII of the Charter of the United Nations;

14. *Urgently calls upon* the International Monetary Fund to terminate credits or other assistance to the racist minority régime of South Africa;

15. *Again requests* the International Atomic Energy Agency to refrain from extending to South Africa any facilities which may assist it in its nuclear plans and, in particular, to exclude South Africa from all its technical working groups;

16. *Calls upon* all States that have not yet done so to accede to the International Convention on the Suppression and Punishment of the Crime of *Apartheid*;<sup>77</sup>

17. *Decides* to continue the authorization of adequate financial provision in the regular budget of the United Nations to enable the South African liberation movements recognized by the Organization of African Unity—namely, the African National Congress of South Africa and the Pan Africanist Congress of Azania—to maintain offices in New York in order to participate effectively in the deliberations of the Special Committee and other appropriate bodies;

18. *Commends* the anti-*apartheid* and solidarity movements, religious bodies, trade unions, youth and student organizations and other groups engaged in campaigns for the isolation of the *apartheid* régime and assistance to the South African liberation movements recognized by the Organization of African Unity;

19. *Urges* all Governments to lend all appropriate assistance, including financial assistance, to such groups, especially in countries which continue to collaborate with the *apartheid* régime;

20. *Appeals* to journalists, writers, artists and other professionals working in the mass media, as well as their professional associations, to foster the role of the mass media in the dissemination of information commensurable with the urgent need to eradicate *apartheid*;

<sup>75</sup> A/32/144, annex I.

<sup>76</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

<sup>77</sup> Resolution 3068 (XXV III), annex.

21. *Requests* the Secretary-General:

(a) To instruct all relevant units of the Secretariat and all United Nations offices to promote the international campaign against *apartheid* in co-operation with the Special Committee;

(b) To take all necessary measures to deny any facilities to, and to refrain from any investment in, corporations operating in South Africa;

(c) To enter into urgent consultations with the International Monetary Fund and the International Atomic Energy Agency to secure their full co-operation in action against *apartheid*, in accordance with the resolutions of the General Assembly;

(d) To prepare, in consultation with the executive heads of the organizations of the United Nations system, proposals for concerted action by all the agencies in the international campaign against *apartheid*;

22. *Requests* the Special Committee:

(a) To prepare a report reviewing the implementation of the resolutions of the General Assembly and the Security Council on the problem of *apartheid* and the acts of aggression by the racist régime of South Africa, and the policies and actions of States which have failed to co-operate in international action;

(b) To review developments concerning collaboration by the United States of America, Israel and other States with the racist régime of South Africa, and to report from time to time, as appropriate;

(c) To pay special attention to mobilizing public opinion and encouraging public action against collaboration with South Africa.

83rd plenary meeting  
5 December 1983

## B

### PROGRAMME OF ACTION AGAINST *Apartheid*

*The General Assembly.*

*Seriously concerned* over the grave situation in southern Africa resulting from the policies and actions of the racist régime of South Africa,

*Anxious* to promote more effective action by the international community to secure the speedy eradication of *apartheid* and the establishment of a non-racial democratic State in South Africa,

*Recognizing* the importance of concerted action by Governments, as well as intergovernmental and non-governmental organizations and individuals, for this purpose,

*Taking note* of the proclamation of the Second Decade to Combat Racism and Racial Discrimination, beginning on 10 December 1983,<sup>78</sup>

*Having considered* the Programme of Action against *Apartheid*, adopted by the Special Committee against *Apartheid* on 25 October 1983,<sup>79</sup>

1. *Commends* the Programme of Action against *Apartheid* to the attention of all Governments, intergovernmental and non-governmental organizations and individuals;

2. *Invites* all Governments, organizations and individuals to take effective action in the light of the Programme

of Action, in close co-operation with the Special Committee against *Apartheid* and the Centre against *Apartheid* of the Secretariat;

3. *Requests* the Secretary-General, through the Department of Public Information of the Secretariat, to ensure the widest publicity for the Programme of Action and to instruct all United Nations offices to take appropriate action to promote its implementation.

83rd plenary meeting  
5 December 1983

## C

### EFFECTS OF *apartheid* ON THE COUNTRIES OF SOUTHERN AFRICA

*The General Assembly.*

*Gravely concerned* over the acts of aggression, destabilization and subversion, as well as economic and other pressure, by the *apartheid* régime of South Africa against independent African States in southern Africa,

*Convinced* of the danger of wider conflict unless effective action is taken by the international community,

*Concerned* over the safety of South African refugees in neighbouring countries,

*Commending* the front-line States for their sacrifices in support of the struggle for freedom in South Africa and Namibia,

*Condemning* the pressure exerted by South Africa to force Lesotho to expel South African refugees in violation of the principles of international law,

*Again condemning* the racist minority régime of South Africa for its continued occupation of parts of the territory of Angola and its acts of aggression, destabilization and subversion against independent African States, particularly against Lesotho and Mozambique,

*Gravely concerned* about the economic blockade that South Africa has imposed against Lesotho,

*Deploring* the pressures exerted by the Government of the United States of America against Angola to impose on it the so-called issue of "linkage" or "parallelism" which encourages the racist minority régime of South Africa to block the negotiations for the independence of Namibia and to continue its illegal occupation of parts of the territory of Angola and escalate its aggression against that country,

1. *Condemns* the acts of aggression by the *apartheid* régime of South Africa against Angola, Lesotho and Mozambique and its threats against independent African States in southern Africa;

2. *Demands* that all troops of the *apartheid* régime of South Africa be immediately and unconditionally withdrawn from Angola and that South Africa respect fully the independence, sovereignty and territorial integrity of independent African States;

3. *Fully supports* the right of the Government of Angola to take measures in accordance with Article 51 of the Charter of the United Nations in order to guarantee and safeguard the territorial integrity and national sovereignty of Angola;

4. *Expresses its full support* for the people and Government of Mozambique in their struggle to preserve their

<sup>78</sup> See resolution 38/14.

<sup>79</sup> A/38/539-S/16102, annex. For the printed text, see *Official Records of the Security Council, Thirty-eighth Year, Supplement for October, November and December 1983*, document S/16102, annex.

national independence and sovereignty and urges all States to provide political, diplomatic and material support to Mozambique:

5. *Further strongly condemns* the racist minority régime of Pretoria for its acts of destabilization, armed aggression and economic blockade against Lesotho and strongly urges the international community to extend maximum assistance to Lesotho to enable that country to fulfil its international humanitarian obligations towards refugees, and to use its influence on the racist régime to desist from terrorist acts against Lesotho;

6. *Demands* that the racist régime of South Africa pay full compensation to Angola, Lesotho and other independent African States for the damage to life and property caused by its acts of aggression;

7. *Calls upon* the international community to provide assistance to independent African States in the subregion to enable them to defend their sovereignty and territorial integrity, counter the hostile South African acts of aggression and rebuild their economies;

8. *Urges* the Security Council to consider, as a matter of urgency, the means to ensure peace in southern Africa.

*83rd plenary meeting  
5 December 1983*

## D

### SANCTIONS AGAINST SOUTH AFRICA

*The General Assembly,*

*Considering* that the policies and actions of the racist régime of South Africa, its military buildup and its nuclear plans constitute a grave threat to international peace and security,

*Reaffirming its conviction* that comprehensive and mandatory sanctions imposed by the Security Council under Chapter VII of the Charter of the United Nations, universally applied, are the most appropriate and effective means by which the international community can assist the legitimate struggle of the oppressed people of South Africa and discharge its responsibilities for the maintenance of international peace and security,

*Recalling* the Paris Declaration on Sanctions against South Africa,<sup>80</sup>

*Considering* that political, economic, military and any other collaboration with the *apartheid* régime of South Africa encourages its persistent intransigence and defiance of the international community and its escalating repression, aggression and destabilization,

*Recognizing* the urgent need for the termination of military, nuclear, economic and technological collaboration with the racist régime of South Africa, as well as the cessation of sports, cultural and other relations with South Africa,

*Gravely concerned* that the racist régime of South Africa has continued, despite the mandatory arms embargo imposed by the Security Council in resolution 418 (1977) of 4 November 1977, to obtain military equipment and ammunition, as well as technology and know-how to develop its armaments industry, and to acquire nuclear-weapon capability,

*Deploring* the attitude of those Western permanent members of the Security Council that have so far prevented the Council from adopting comprehensive sanc-

tions against South Africa under Chapter VII of the Charter.

*Deploring also* the attitude of those States, in particular the United States of America and Israel, which have continued and increased their political, economic and other collaboration with South Africa.

*Gravely concerned* over the activities of those transnational corporations that continue to collaborate with the *apartheid* régime and of those financial institutions that have continued to provide loans and credits to South Africa, and over the failure of the States concerned to take effective action to prevent such collaboration,

*Expressing serious concern* over the greatly increased trade with, investments in, and loans to South Africa by the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Federal Republic of Germany and Switzerland.

*Commending* all States that have taken effective measures, in accordance with relevant resolutions, for the elimination of *apartheid* in South Africa.

*Expressing great appreciation* to intergovernmental and non-governmental organizations, in particular anti-*apartheid* and solidarity movements, trade unions and religious bodies, as well as city and other local authorities, that have taken action to isolate the racist régime of South Africa and to promote support for comprehensive sanctions against that régime.

*Commending* athletes, entertainers and others who demonstrated solidarity with the oppressed people of South Africa by complying with the boycotts of South Africa.

*Commending* the Special Committee against *Apartheid* for its activities, with the assistance of the Centre against *Apartheid* of the Secretariat and the co-operation of Governments and organizations, in promoting the widest possible support for sanctions against South Africa,

*Taking note* of the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983, calling for an early convening of the Security Council for the purpose of strengthening the arms embargo and imposing comprehensive and mandatory sanctions against South Africa under Chapter VII of the Charter,<sup>81</sup>

1. *Again requests* the Security Council to consider action under Chapter VII of the Charter of the United Nations towards comprehensive and mandatory sanctions against South Africa and, in particular, to take measures:

(a) To monitor effectively and to reinforce the mandatory arms embargo against South Africa;

(b) To prohibit all co-operation with South Africa in the military and nuclear fields by Governments, corporations, institutions and individuals;

(c) To prohibit imports of any military equipment or component parts from South Africa;

(d) To prevent any co-operation or association with South Africa by any military alliances;

(e) To impose an effective embargo on the supply of oil and oil products to South Africa and on all assistance to the oil industry in South Africa;

(f) To prohibit financial loans to and new investments in South Africa, as well as all promotion of trade with South Africa;

2. *Requests* all States to take all appropriate measures to facilitate such action by the Security Council;

<sup>80</sup> Report of the International Conference on Sanctions against South Africa, Paris, 20-27 May 1981 (A/CONF.107/8), sect. X.A.

<sup>81</sup> See A/38.312, annex, resolution AHG/Res.112 (XIX), para.5.

3. *Requests* all States concerned to take action against corporations and other interests that violate the mandatory arms embargo against South Africa or that are involved in the illicit supply to South Africa of oil from States that have imposed an embargo against South Africa;

4. *Invites* all Governments and organizations to assist, in consultation with the national liberation movements of South Africa and Namibia, persons compelled to leave South Africa because of their objection, on the grounds of conscience, to serving in the military or police force of the *apartheid* régime;

5. *Encourages* action by Governments, organizations and individuals in support of sports, cultural, consumer and other boycotts of South Africa;

6. *Requests and authorizes* the Special Committee against *Apartheid* to intensify its activities for the total isolation of the racist régime of South Africa and for promoting comprehensive and mandatory sanctions against South Africa.

83rd plenary meeting  
5 December 1983

## E

### PROGRAMME OF WORK OF THE SPECIAL COMMITTEE AGAINST *Apartheid*

*The General Assembly,*

*Having considered* the report of the Special Committee against *Apartheid*,<sup>68</sup>

1. *Congratulates* the Special Committee against *Apartheid* for its dedicated efforts since its inception in 1963 in promoting the international campaign against *apartheid*;

2. *Commends* the work of the Centre against *Apartheid* of the Secretariat in assisting the Special Committee;

3. *Endorses* the report of the Special Committee, in particular its conclusions and recommendations on its work and that of the Centre against *Apartheid* contained in paragraphs 354 to 364 of the report, and requests the Secretary-General to take all appropriate steps to enable the Centre to provide more effective services to the Committee;

4. *Authorizes* the Special Committee to organize or co-sponsor conferences, seminars or other events, to send missions to Governments, organizations and conferences and to assist campaigns against *apartheid* as it may deem necessary in the discharge of its responsibilities, within the financial resources allocated under the present resolution, and requests the Secretary-General to provide the necessary staff and services for such activities;

5. *Decides* to make a special allocation of \$400,000 to the Special Committee for 1984 from the regular budget of the United Nations for the cost of special projects to be decided upon by the Committee in order to promote the international campaign against *apartheid*;

6. *Again requests* Governments and organizations to make voluntary contributions or provide other assistance for the special projects of the Special Committee.

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<sup>68</sup> See *Report of the Second World Conference to Combat Racism and Racial Discrimination, Geneva, 1-12 August 1983* (United Nations publication, Sales No. E.83.XIV.4 and corrigendum), chap. II.

## F

### RELATIONS BETWEEN ISRAEL AND SOUTH AFRICA

*The General Assembly,*

*Reaffirming* its resolutions on relations between Israel and South Africa,

*Having considered* the special report of the Special Committee against *Apartheid* on recent developments concerning relations between Israel and South Africa,<sup>69</sup>

*Taking note* of the Declaration of the International Conference on the Alliance between South Africa and Israel<sup>73</sup> and the Declaration of the Second World Conference to Combat Racism and Racial Discrimination,<sup>82</sup>

*Alarmed* at the increasing collaboration by Israel with the racist régime of South Africa, especially in the military and nuclear fields, in defiance of resolutions of the General Assembly and the Security Council,

*Considering* that such collaboration is a serious hindrance to international action for the eradication of *apartheid*, an encouragement to the racist régime of South Africa to persist in its criminal policy of *apartheid* and a hostile act against the oppressed people of South Africa and the entire African continent, and constitutes a threat to international peace and security,

1. *Again strongly condemns* the continuing and increasing collaboration by Israel with the racist régime of South Africa, especially in the military and nuclear fields;

2. *Demands* that Israel desist from and terminate forthwith all forms of collaboration with South Africa, particularly in the military and nuclear fields, and abide scrupulously by the relevant resolutions of the General Assembly and the Security Council;

3. *Calls upon* all Governments and organizations to exert their influence to persuade Israel to desist from such collaboration and abide by the resolutions of the General Assembly;

4. *Requests* the Special Committee against *Apartheid* to publicize, as widely as possible, information on the relations between Israel and South Africa and especially the Declaration of the International Conference on the Alliance between South Africa and Israel;

5. *Requests* the Secretary-General to render, through the Department of Public Information and the Centre against *Apartheid* of the Secretariat, all possible assistance to the Special Committee in disseminating information relating to the collaboration between Israel and South Africa;

6. *Further requests* the Special Committee to keep the matter under constant review and to report to the General Assembly and the Security Council as appropriate.

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5 December 1983

## G

### MILITARY AND NUCLEAR COLLABORATION WITH SOUTH AFRICA

*The General Assembly,*

*Reaffirming* its resolutions on military and nuclear collaboration with South Africa, in particular its resolution 37/69 D of 9 December 1982,

Recalling its resolutions concerning the denuclearization of the continent of Africa,

Recalling also Security Council resolutions 418 (1977) of 4 November 1977, 421 (1977) of 9 December 1977 and 473 (1980) of 13 June 1980,

Recalling that the Security Council determined in resolution 418 (1977), under Chapter VII of the Charter of the United Nations, that the acquisition by South Africa of arms and related *matériel* constituted a threat to the maintenance of international peace and security,

Having considered the reports of the Special Committee against Apartheid,<sup>83</sup> the International Conference on Sanctions against South Africa<sup>84</sup> and the International Conference on the Alliance between South Africa and Israel,<sup>84</sup>

Taking into account the Declarations of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>85</sup> and the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,<sup>86</sup>

Gravely concerned that, despite the arms embargo imposed by the Security Council, the racist régime of South Africa has continued to obtain from certain Western States and Israel military equipment and ammunition, as well as technology and know-how to develop its armaments industry and nuclear-weapon capability,

Noting with grave concern that military and nuclear collaboration by certain Western States and Israel with South Africa has enabled the racist régime to develop its arms production and become an arms-exporting country,

Recognizing that the stepped-up arms buildup and nuclear-weapon capability, as well as escalating acts of aggression by the racist régime of South Africa, constitute a grave threat to international peace and security,

Expressing alarm at the growing violation of the arms embargo, as well as the continued nuclear collaboration by the United States of America and some other Western States and Israel with the *apartheid* régime,

Condemning the actions of those transnational corporations that continue, through their collaboration with the racist régime of South Africa, to enhance its military and nuclear capabilities, as well as the failure of the Governments of the home countries of those corporations to take effective action to prevent such collaboration in accordance with the relevant resolutions of the United Nations,

Considering the urgent need for mandatory decisions by the Security Council, under Chapter VII of the Charter, to prohibit any military and nuclear collaboration with the racist régime of South Africa,

1. Urges the Security Council to take mandatory decisions, under Chapter VII of the Charter of the United Nations, to ensure the total cessation of all military and nuclear co-operation with the racist régime of South Africa by Governments, corporations, institutions and individuals;

2. Strongly condemns the actions of certain Western States and Israel which have provided the racist régime of South Africa with an enormous arsenal of military equipment and technology, as well as assistance in its nuclear plans, and which have allowed corporations under their jurisdiction to invest in the armaments industry in South Africa;

3. Also condemns the recent decision of the United States of America approving the request from seven corporations to provide technological and maintenance service to the nuclear installation of racist South Africa;

4. Further condemns any manoeuvres to create military pacts or arrangements with the participation of the racist régime of South Africa;

5. Calls upon all Member States:

(a) To monitor effectively and to reinforce the mandatory arms embargo against South Africa;

(b) To prohibit all military and nuclear co-operation with South Africa by Governments, corporations, institutions and individuals;

6. Calls upon all Governments that have not yet done so to terminate all military and nuclear collaboration with South Africa and to take all necessary measures for preventing corporations and enterprises under their jurisdiction from engaging in any such collaboration.

83rd plenary meeting  
5 December 1983

## H

### UNITED NATIONS TRUST FUND FOR SOUTH AFRICA

The General Assembly,

Having considered the report of the Secretary-General on the United Nations Trust Fund for South Africa,<sup>87</sup> to which is annexed the report of the Committee of Trustees of the United Nations Trust Fund for South Africa,

Gravely concerned at the continued and increased repression against opponents of *apartheid* and racial discrimination in South Africa and the institution of numerous trials under arbitrary security legislation, as well as continued repression in Namibia,

Reaffirming that increased humanitarian assistance by the international community to those persecuted under repressive and discriminatory legislation in South Africa and Namibia is appropriate and essential,

Recognizing that increased contributions to the Trust Fund and to the voluntary agencies concerned are necessary to enable them to meet the increased needs for humanitarian and legal assistance,

1. Commends the Secretary-General and the Committee of Trustees of the United Nations Trust Fund for South Africa for their efforts to promote humanitarian and legal assistance to persons persecuted under repressive and discriminatory legislation in South Africa and Namibia, as well as assistance to their families and to refugees from South Africa;

2. Expresses its appreciation to the Governments, organizations and individuals that have contributed to the Trust Fund and to the voluntary agencies engaged in rendering humanitarian and legal assistance to the victims of *apartheid* and racial discrimination;

3. Appeals for generous and increased contributions to the Trust Fund;

4. Also appeals for direct contributions to the voluntary agencies engaged in assistance to the victims of

<sup>83</sup> Report of the International Conference on Sanctions against South Africa, Paris, 20-27 May 1981 (A/CONF.107/8).

<sup>84</sup> A/AC.115/L.595.

<sup>85</sup> See A/38/132-S/15675 and Corr.1 and 2, annex.

<sup>86</sup> A/38/312, annex.

<sup>87</sup> A/38/455.

apartheid and racial discrimination in South Africa and Namibia.

83rd plenary meeting  
5 December 1983

## I

### INVESTMENTS IN SOUTH AFRICA

*The General Assembly,*

*Recalling* its resolution 37/69 H of 9 December 1982,

*Taking note* of the report of the Special Committee against Apartheid,<sup>68</sup>

*Convinced* that a cessation of all new foreign investments in, and financial loans to, South Africa would constitute an important step in international action for the elimination of apartheid, as such investments and loans abet and encourage the apartheid policies of that country,

*Welcoming* the actions of those Governments that have taken legislative and other measures towards that end,

*Noting with regret* that the Security Council has not yet taken steps towards that end, as requested by the General Assembly in its resolutions 31/6 K of 9 November 1976, 32/105 O of 16 December 1977, 33/183 O of 24 January 1979, 34/93 Q of 12 December 1979, 35/206 Q of 16 December 1980, 36/172 O of 17 December 1981 and 37/69 H of 9 December 1982,

*Again urges* the Security Council to consider the matter at an early date with a view to taking effective steps to achieve the cessation of further foreign investments in, and financial loans to, South Africa.

83rd plenary meeting  
5 December 1983

## J

### OIL EMBARGO AGAINST SOUTH AFRICA

*The General Assembly,*

*Recalling and reaffirming* its resolutions 36/172 G of 17 December 1981 and 37/69 J of 9 December 1982,

*Recalling further* the Paris Declaration on Sanctions against South Africa,<sup>80</sup>

*Convinced* of the need to ensure the effective implementation of embargoes imposed or policies declared by most oil-producing and oil-exporting countries with regard to the supply of their oil and oil products to South Africa, and to secure a mandatory oil embargo against South Africa under Chapter VII of the Charter of the United Nations,

*Convinced further* that such action has become imperative because of increasing repression and acts of aggression by South Africa,

*Commending* all Governments that have imposed an oil embargo against South Africa,

*Commending* the Special Committee against Apartheid for its efforts, in co-operation with Governments and intergovernmental and non-governmental organizations, to promote an effective oil embargo against South Africa,

*Condemning* the activities of corporations and other interests engaged in the clandestine supply to South Africa of oil from countries which have imposed an oil embargo,

*Noting* the need for further consultations among oil-producing and oil-exporting countries committed to the oil embargo against South Africa on national and international arrangements to ensure the effective implementation of the oil embargo against South Africa and on an international conference for that purpose,

1. *Reaffirms its recommendation* to the Security Council to consider urgently a mandatory embargo on the supply of oil and oil products to South Africa under Chapter VII of the Charter of the United Nations;

2. *Urges* all States that have not yet done so to take effective legislative and other measures to ensure the implementation of an oil embargo against South Africa;

3. *Requests* all States concerned to take effective action against corporations and tanker companies involved in the illicit supply of oil to South Africa;

4. *Requests and authorizes* the Special Committee against Apartheid to continue its efforts, including the undertaking of missions, the holding of seminars and the publication of studies, to promote an effective oil embargo against South Africa;

5. *Invites* Governments, international and non-governmental organizations, trade unions and other appropriate bodies to lend their full support to the oil embargo against South Africa;

6. *Renews its authorization* to the Secretary-General, in consultation with the Special Committee and in the light of the conclusions reached at the meetings of permanent representatives to the United Nations of the oil-producing and oil-exporting countries committed to the oil embargo against South Africa, to organize an International Conference on an Oil Embargo against South Africa for the purpose of considering national and international arrangements to ensure the implementation of embargoes imposed or policies declared by oil-producing and oil-exporting countries with regard to the supply of oil and oil products to South Africa.

83rd plenary meeting  
5 December 1983

## K

### Apartheid IN SPORTS

*The General Assembly,*

*Having considered* the report of the Ad Hoc Committee on the Drafting of an International Convention against Apartheid in Sports,<sup>88</sup>

1. *Authorizes* the Ad Hoc Committee on the Drafting of an International Convention against Apartheid in Sports to continue consultations, as required, with representatives of Governments and organizations concerned and experts on apartheid in sports;

2. *Requests* the Ad Hoc Committee to continue its work with a view to submitting the draft Convention to the General Assembly at its thirty-ninth session.

83rd plenary meeting  
5 December 1983

<sup>88</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 36 (A/38/36 and Corr.1).



### 38/54. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

*The General Assembly.*

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>89</sup>

Recalling its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration,

Recalling all its previous resolutions concerning the implementation of the Declaration, in particular resolution 37/35 of 23 November 1982, as well as the relevant resolutions of the Security Council,

Recalling the relevant provisions of the Paris Declaration on Namibia and the Programme of Action on Namibia adopted by the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April 1983,<sup>90</sup>

Condemning the continued colonialist and racist repression of millions of Africans, particularly in Namibia, by the Government of South Africa through its persistent, illegal occupation of the international Territory and its intransigent attitude towards all efforts being made to bring about an internationally acceptable solution to the situation obtaining in the Territory,

Deeply conscious of the urgent need to take all necessary measures to eliminate forthwith the remaining vestiges of colonialism, particularly in respect of Namibia where desperate attempts by South Africa to perpetuate its illegal occupation have brought untold suffering and bloodshed to the people,

Strongly condemning the policies of those States which, in defiance of the relevant resolutions of the United Nations, have continued to collaborate with the Government of South Africa in its domination of the people of Namibia,

Conscious that the success of the national liberation struggle and the resultant international situation have provided the international community with a unique opportunity to make a decisive contribution towards the total elimination of colonialism in all its forms and manifestations in Africa,

Welcoming the achievement of independence by Saint Christopher and Nevis on 19 September 1983 and noting with satisfaction the imminent accession to independence of Brunei, scheduled for 31 December 1983,

Noting with satisfaction the work accomplished by the Special Committee with a view to securing the effective and complete implementation of the Declaration and the other relevant resolutions of the United Nations,

Noting also with satisfaction the co-operation and active participation of the administering Powers concerned in the relevant work of the Special Committee, as well as the continued readiness of the Governments concerned to receive United Nations visiting missions in the Territories under their administration,

Reiterating its conviction that the total eradication of racial discrimination, *apartheid* and violations of the basic human rights of the peoples of colonial Territories will be achieved most expeditiously by the faithful and complete implementation of the Declaration, particularly in Namibia, and by the speediest possible complete elimination of the presence of the illegal occupying régimes therefrom,

Keenly aware of the pressing needs of the newly independent and emerging States for assistance from the United Nations and its system of organizations in the economic, social and other fields,

1. Reaffirms its resolutions 1514 (XV), 2621 (XXV) and 37/35 and all other resolutions on decolonization and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the dependent peoples of the Territories concerned to exercise fully and without further delay their inalienable right to self-determination and independence;

2. Affirms once again that the continuation of colonialism in all its forms and manifestations—including racism, *apartheid*, the exploitation by foreign and other interests of economic and human resources and the waging of colonial wars to suppress national liberation movements—is incompatible with the Charter of the United Nations, the Universal Declaration of Human Rights<sup>91</sup> and the Declaration on the Granting of Independence to Colonial Countries and Peoples and poses a serious threat to international peace and security;

3. Reaffirms its determination to take all necessary steps with a view to the complete and speedy eradication of colonialism and to the faithful and strict observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the guiding principles of the Universal Declaration of Human Rights;

4. Affirms once again its recognition of the legitimacy of the struggle of the peoples under colonial and alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal;

5. Approves the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 1983, including the programme of work envisaged for 1984;<sup>92</sup>

6. Calls upon all States, in particular the administering Powers, and the specialized agencies and other organizations of the United Nations system to give effect to the recommendations contained in the report of the Special Committee for the speedy implementation of the Declaration and the other relevant resolutions of the United Nations;

7. Condemns the continuing activities of foreign economic and other interests which are impeding the implementation of the Declaration with respect to the colonial Territories, particularly Namibia;

8. Strongly condemns all collaboration, particularly in the nuclear and military fields, with the Government of South Africa and calls upon the States concerned to cease forthwith all such collaboration;

9. Requests all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to withhold assistance of any kind from the Government of South Africa until the inalienable

<sup>89</sup> *Ibid.*, Supplement No. 23 (A/38/23).

<sup>90</sup> See Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983 (A/CONF.120/13), paras.165-195 and 220-242.

<sup>91</sup> Resolution 217 A (III).

<sup>92</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 23 (A/38/23), chap. I, sect. 5.

right of the people of Namibia to self-determination and independence within a united and integrated Namibia, including Walvis Bay, has been restored, and to refrain from taking any action which might imply recognition of the legitimacy of the illegal occupation of Namibia by that régime;

10. *Calls upon* the colonial Powers to withdraw immediately and unconditionally their military bases and installations from colonial Territories and to refrain from establishing new ones;

11. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide all moral and material assistance to the oppressed people of Namibia and, in respect of the other Territories, requests the administering Powers, in consultation with the Governments of the Territories under their administration, to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

12. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of General Assembly resolution 1514 (XV) in all Territories that have not yet attained independence and, in particular:

(a) To formulate specific proposals for the elimination of the remaining manifestations of colonialism and to report thereon to the General Assembly at its thirty-ninth session;

(b) To make concrete suggestions which could assist the Security Council in considering appropriate measures under the Charter with regard to developments in colonial Territories that are likely to threaten international peace and security;

(c) To continue to examine the compliance of Member States with the Declaration and with other relevant resolutions on decolonization, particularly those relating to Namibia;

(d) To continue to pay particular attention to the small Territories, including the sending of visiting missions to them, as appropriate, and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, freedom and independence;

(e) To take all necessary steps to enlist world-wide support among Governments, as well as national and international organizations having a special interest in decolonization, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations, particularly as concerns the oppressed people of Namibia;

13. *Calls upon* the administering Powers to continue to co-operate with the Special Committee in the discharge of its mandate and, in particular, to permit the access of visiting missions to the Territories to secure first-hand information and ascertain the wishes and aspirations of their inhabitants;

14. *Requests* the Secretary-General and the specialized agencies and other organizations of the United Nations system to provide or continue to provide to the newly independent and emerging States all possible assistance in the economic, social and other fields;

15. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as of the various resolutions and decisions on decolonization

adopted by the General Assembly and the Special Committee.

86th plenary meeting  
7 December 1983

### 38/55. Dissemination of information on decolonization

*The General Assembly:*

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,<sup>93</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular General Assembly resolution 37/36 of 23 November 1982,

*Reiterating* the importance of publicity as an instrument for furthering the aims and purposes of the Declaration and mindful of the continuing pressing need to take all possible steps to acquaint world public opinion with all aspects of the problems of decolonization with a view to assisting effectively the peoples of the colonial Territories to achieve self-determination, freedom and independence,

*Aware* of the increasingly important role being played in the widespread dissemination of relevant information by a number of non-governmental organizations having a special interest in decolonization, and noting with satisfaction the intensified efforts of the Special Committee in enlisting the support of those organizations in that regard, including its decision to organize in Europe in 1984 a seminar on decolonization with the non-governmental organizations concerned,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization;

2. *Reaffirms* the importance of effecting the widest possible dissemination of information on the evils and dangers of colonialism, on the determined efforts of the colonial peoples to achieve self-determination, freedom and independence and on the assistance being provided by the international community towards the elimination of the remaining vestiges of colonialism in all its forms;

3. *Requests* the Secretary-General, having regard to the suggestions of the Special Committee, to continue to take concrete measures through all the media at his disposal, including publications, radio and television, to give widespread and continuous publicity to the work of the United Nations in the field of decolonization, and, *inter alia*:

(a) To continue, in consultation with the Special Committee, to collect, prepare and disseminate basic material, studies and articles relating to the problems of decolonization and, in particular, to continue to publish the periodical *Objective: Justice* and other publications, special articles and studies, including the *Decolonization* series, and

<sup>93</sup> *Ibid.*, chap. II.

to select from them appropriate material for wider dissemination by means of reprints in various languages;

(b) To seek the full co-operation of the administering Powers concerned in the discharge of the tasks referred to above;

(c) To intensify the activities of all United Nations information centres, particularly those located in Western Europe and the Americas;

(d) To maintain a close working relationship with the Organization of African Unity by holding periodic consultations and by systematically exchanging relevant information with that organization;

(e) To enlist the support of non-governmental organizations having a special interest in decolonization in the dissemination of the relevant information;

(f) To ensure the availability of the necessary facilities and services in this regard;

(g) To report to the Special Committee on the measures taken in implementation of the present resolution;

4. *Invites* all States, the specialized agencies and other organizations of the United Nations system and non-governmental organizations having a special interest in decolonization to undertake or intensify, in co-operation with the Secretary-General and within their respective spheres of competence, the large-scale dissemination of the information referred to in paragraph 2 above;

5. *Requests* the Special Committee to follow the implementation of the present resolution and report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/56. International Year of Peace

*The General Assembly,*

*Recalling* its resolution 37/16 of 16 November 1982, in which it declared 1986 to be the International Year of Peace,

*Taking note with appreciation* of the report of the Secretary-General,<sup>94</sup> containing the draft programme of the International Year of Peace,<sup>95</sup>

*Taking into account* the guidelines for international years and anniversaries adopted by the General Assembly in its decision 35/424 of 5 December 1980,

*Recognizing* that the International Year of Peace, which will be linked with the fortieth anniversary of the United Nations, is especially important and will permit the United Nations and its Member States to concentrate their efforts towards promoting the ideals of peace, as evidence of their dedication to serve peace by all possible means,

*Considering also* that the preparations for the International Year of Peace must be carried through to ensure positive results in international co-operation for the promotion of peace during the Year,

1. *Endorses* the principal objectives of the International Year of Peace indicated in the report of the Secretary-General;

2. *Invites* all States, all organizations within the United Nations system and interested non-governmental organizations to co-operate with the Secretary-General in achieving the objectives of the International Year of Peace;

3. *Requests* the Secretary-General to establish a voluntary fund for the programme of the International Year of

Peace and urges all States and interested organizations to contribute to that fund:

4. *Also requests* the Secretary-General to carry out during 1984-1985 the necessary preparations for the observance of the International Year of Peace, including the organization of regional seminars devoted to promoting the objectives of the Year;<sup>96</sup>

5. *Further requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the draft programme of the International Year of Peace and on the arrangements for financing it;

6. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "International Year of Peace".

*87th plenary meeting  
7 December 1983*

### 38/57. Thirty-five years of the Universal Declaration of Human Rights: international co-operation for the promotion and observance of civil, political, economic, social and cultural rights

*The General Assembly,*

*Reaffirming* the continued significance and the validity of the Universal Declaration of Human Rights,<sup>97</sup>

*Welcoming* the progress made so far in the promotion and protection of human rights and fundamental freedoms since the proclamation of the Declaration,

*Recalling* that Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

*Acknowledging* that, despite all the efforts made by the international community to promote and protect human rights, there is a need for constant vigilance by the international community in this field,

*Recalling also* the responsibility of the international community to remove the threat of war from the lives of people, to preserve civilization and to ensure that everyone enjoys the inherent right to life, liberty and security of person,

*Underlining* the importance of the teaching of human rights at all levels, particularly in primary and secondary schools,

1. *Stresses* the significance of the thirty-fifth anniversary of the Universal Declaration of Human Rights and expresses grave concern at mass and flagrant violations and all other violations of human rights which continue to take place in many parts of the world;

2. *Takes note with satisfaction* of the progress made so far in the field of standard-setting on human rights since the proclamation of the Declaration and reaffirms its commitment to continue to strive for further progress in the field of the promotion and protection of human rights and fundamental freedoms;

3. *Urges* all States to apply the Declaration resolutely, as well as seriously to consider ratifying or acceding to and observing the International Covenant on Civil and Political Rights<sup>98</sup> and the International Covenant on Economic, Social and Cultural Rights,<sup>98</sup> the International Convention on the Elimination of All Forms of Racial Discrimination<sup>99</sup> and instruments relating to *apartheid*, and calls upon all States to ensure greater observance and

<sup>94</sup> A/38/413 and Add.1 and 2.

<sup>95</sup> A/38/413, annex I.

<sup>96</sup> *Ibid.*, annex V.

<sup>97</sup> Resolution 217 A (III).

<sup>98</sup> Resolution 2200 A (XXI), annex.

<sup>99</sup> Resolution 2106 A (XXI), annex.

respect of all other United Nations instruments on human rights:

4. *Urges* the United Nations Educational, Scientific and Cultural Organization, in co-operation with Governments, to undertake rigorous efforts to spread the teaching of human rights in all educational institutions, particularly primary and secondary schools, as well as in the training of relevant professional groups and requests the Director-General of that organization to submit to the General Assembly at its forty-third session, on the occasion of the fortieth anniversary of the Declaration, a report on the efforts made by the United Nations Educational, Scientific and Cultural Organization to those ends.

91st plenary meeting  
9 December 1983

### 38/58. Question of Palestine

#### A

*The General Assembly,*

*Recalling* its resolutions 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 of 2 December 1977, 33/28 of 7 December 1978, 34/65 A and B of 29 November 1979 and 34/65 C and D of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, ES-7/4 of 28 April 1982, ES-7/5 of 26 June 1982, ES-7/9 of 24 September 1982 and 37/86 A of 10 December 1982,

*Having considered* the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,<sup>100</sup>

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. *Endorses* the recommendations of the Committee contained in paragraphs 94 to 98 of its report and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly, at its thirty-first session and subsequently, is long overdue;

3. *Requests* the Committee to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights<sup>101</sup> adopted by the International Conference on the Question of Palestine and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

4. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III) of 11 December 1948, as well as other United Nations bodies associated with the question of Palestine, to co-operate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

5. *Authorizes* the Committee to continue to exert all efforts to promote the implementation of its recommendations, to send delegations or representatives to international conferences where such representation would be considered by it to be appropriate, and to report thereon to the General Assembly at its thirty-ninth session and thereafter;

<sup>100</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 35 (A/38/35).

6. *Decides* to circulate the report of the Committee to all the competent bodies of the United Nations and urges them to take the necessary action, as appropriate, in accordance with the Committee's programme of implementation;

7. *Requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

95th plenary meeting  
13 December 1983

#### B

*The General Assembly,*

*Having considered* the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,<sup>100</sup>

*Noting*, in particular, the information contained in paragraphs 86 to 91 of that report,

*Recalling* its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981 and 37/86 B of 10 December 1982,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with General Assembly resolution 37/86 B:

2. *Requests* the Secretary-General to ensure that the Division for Palestinian Rights of the Secretariat continues to discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 B, paragraph 2 (b) of resolution 34/65 D and paragraph 3 of resolution 36/120 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

3. *Also requests* the Secretary-General to provide the Division for Palestinian Rights with the necessary resources to accomplish its tasks and to expand its work programme, *inter alia*, through:

(a) Closer contacts with the media and wider dissemination of the Division's information material, particularly where information on the question of Palestine is inadequate;

(b) Increased contacts with non-governmental organizations and the convening of symposia and meetings for non-governmental organizations in different regions in order to heighten awareness of the facts relating to the question of Palestine;

4. *Further requests* the Secretary-General to ensure the continued co-operation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;

6. *Notes with appreciation* the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People and

<sup>101</sup> Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.L.21), chap. I, sect. B.

the issuance by them of special postage stamps for the occasion.

*95th plenary meeting  
13 December 1983*

### C

*The General Assembly,*

Recalling its resolution 36/120 C of 10 December 1981, in which it decided to convene, under the auspices of the United Nations, an International Conference on the Question of Palestine on the basis of its resolution ES-7/2 of 29 July 1980,

Recalling also its resolution 37/86 C of 10 December 1982 in which it, *inter alia*, reiterated the responsibility of the United Nations to strive for a lasting peace in the Middle East through a just solution of the problem of Palestine,

Having considered the report of the International Conference on the Question of Palestine,<sup>102</sup> held at Geneva from 29 August to 7 September 1983,

Convinced that the Conference, in adopting by acclamation the Geneva Declaration on Palestine<sup>103</sup> and the Programme of Action for the Achievement of Palestinian Rights,<sup>101</sup> made an important and positive contribution to the attainment of a comprehensive, just and durable peace in the Middle East through a just solution of the problem of Palestine, the core of the Arab-Israeli conflict,

Conscious of the importance of the time factor in achieving a just solution of the problem of Palestine,

1. Takes note with satisfaction of the report of the International Conference on the Question of Palestine;

2. Endorses the Geneva Declaration on Palestine, adopted by acclamation on 7 September 1983;

3. Welcomes and endorses the call for convening an International Peace Conference on the Middle East in conformity with the following guidelines:

(a) The attainment by the Palestinian people of its legitimate inalienable rights, including the right to return, the right to self-determination and the right to establish its own independent State in Palestine;

(b) The right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing with other parties in all efforts, deliberations and conferences on the Middle East;

(c) The need to put an end to Israel's occupation of the Arab territories, in accordance with the principle of the inadmissibility of the acquisition of territory by force, and, consequently, the need to secure Israeli withdrawal from the territories occupied since 1967, including Jerusalem;

(d) The need to oppose and reject such Israeli policies and practices in the occupied territories, including Jerusalem, and any *de facto* situation created by Israel as are contrary to international law and relevant United Nations resolutions, particularly the establishment of settlements, as these policies and practices constitute major obstacles to the achievement of peace in the Middle East;

(e) The need to reaffirm as null and void all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, including the expropriation of land and property situated thereon, and in particular the so-called "Basic Law"

on Jerusalem and the proclamation of Jerusalem as the capital of Israel:

(f) The right of all States in the region to existence within secure and internationally recognized boundaries, with justice and security for all the people, the *sine qua non* of which is the recognition and attainment of the legitimate, inalienable rights of the Palestinian people as stated in subparagraph (a) above:

4. Invites all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, as well as the United States of America, the Union of Soviet Socialist Republics and other concerned States, to participate in the International Peace Conference on the Middle East on an equal footing and with equal rights;

5. Requests the Secretary-General, in consultation with the Security Council, urgently to undertake preparatory measures to convene the Conference;

6. Invites the Security Council to facilitate the organization of the Conference;

7. Also requests the Secretary-General to report on his efforts no later than 15 March 1984;

8. Decides to consider at its thirty-ninth session the report of the Secretary-General on the Conference.

*95th plenary meeting  
13 December 1983*

### D

*The General Assembly,*

Having considered the report of the International Conference on the Question of Palestine,<sup>102</sup> held at Geneva from 29 August to 7 September 1983,

Taking note of the Programme of Action for the Achievement of Palestinian Rights,<sup>101</sup>

Bearing in mind its resolution 38/145 of 19 December 1983 on assistance to the Palestinian people,

Urges the meeting of specialized agencies and other organizations of the United Nations system to be convened in 1984, referred to in General Assembly resolution 38/145, to take into account the recommendations of the five regional preparatory meetings of the International Conference on the Question of Palestine<sup>104</sup> and the United Nations resolutions concerning economic and social assistance to the Palestinian people in developing a co-ordinated programme of economic and social assistance to the Palestinian people, and to ensure the implementation of that programme.

*95th plenary meeting  
13 December 1983*

### E

*The General Assembly,*

Having considered the report of the International Conference on the Question of Palestine,<sup>102</sup> held at Geneva from 29 August to 7 September 1983,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-

<sup>102</sup> United Nations publication, Sales No. E.83.L.21.

<sup>103</sup> *Ibid.*, chap. I, sect. A.

<sup>104</sup> *Ibid.*, chap. II, paras. 10 and 11.

determination and to the establishment of an independent sovereign Palestinian State.

*Requests* that the Department of Public Information of the Secretariat, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, should:

- (a) Disseminate all information on the activities of the United Nations system relating to Palestine;
- (b) Expand publications and audio-visual coverage of the facts and developments pertaining to the question of Palestine;
- (c) Publish newsletters and articles in its relevant publications on Israeli violations of the human rights of the Arab inhabitants of the occupied territories, and organize fact-finding missions to the area for journalists;
- (d) Organize regional encounters for journalists;
- (e) Disseminate appropriate information on the results of the International Conference on the Question of Palestine.

*95th plenary meeting  
13 December 1983*

### 38/59. Third United Nations Conference on the Law of the Sea

#### A

*The General Assembly,*

*Recalling* its resolution 37/66 of 3 December 1982 regarding the Third United Nations Conference on the Law of the Sea,

*Noting* that the Conference was concluded at Montego Bay, Jamaica, on 10 December 1982, that the United Nations Convention on the Law of the Sea<sup>105</sup> was opened for signature and that one hundred and nineteen signatures were affixed to it on that date,

*Taking further note* of the increasing and overwhelming support for the Convention, as evidenced, *inter alia*, by the one hundred and thirty-two signatures and nine ratifications by States and by the United Nations Council for Namibia, on behalf of Namibia, as at 31 October 1983,

*Concerned* at any attempt to undermine the Convention and its related resolutions,<sup>106</sup>

*Recognizing* that, as stated in the third preambular paragraph of the Convention, the problems of ocean space are closely interrelated and need to be considered as a whole,

*Convinced* that it is important to safeguard the unified character of the Convention and its related resolutions and to refrain from any action to apply their provisions selectively, in a manner inconsistent with their objectives and purposes,

*Noting* the increasing needs of countries, especially developing countries, for information, advice and assistance in their developmental process for the full realization of the benefits of the comprehensive legal régime established by the Convention, as also recognized by the Economic and Social Council in its resolution 1983/48 of 28 July 1983,

*Recalling* that the Convention provides that the seat of the International Sea-Bed Authority shall be in Jamaica and the seat of the International Tribunal for the Law of

the Sea shall be at Hamburg, Federal Republic of Germany,

*Recalling also* that in paragraph 12 of Conference resolution I of 30 April 1982,<sup>106</sup> establishing the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, it is expressly provided that the Commission shall meet at the seat of the Authority if facilities are available and as often as necessary for the expeditious exercise of its functions.

*Noting also* that the Preparatory Commission held its first session at Kingston, at which it elected its Bureau, concluded the elaboration of its organizational framework by allocating functions between the Plenary and Special Commissions and requested the secretariat to prepare background information and working papers in respect of the work allocated to these organs, and decided, *inter alia*, to hold its next regular session at Kingston from 19 March to 13 April 1984 and a session for its working groups during the summer of 1984, in New York or Geneva, as it may decide,<sup>107</sup>

*Recalling* its approval of the assumption by the Secretary-General of the responsibilities entrusted to him under the Convention and its related resolutions and the approval of the stationing of an adequate number of secretariat staff in Jamaica for the purpose of servicing the Preparatory Commission, as required by its functions and programme of work,

*Taking note also* of the major programme on marine affairs, set forth in chapter 25 of the medium-term plan for the period 1984-1989,<sup>108</sup>

*Recalling* the extensive functions entrusted to the Preparatory Commission, including the administration of the scheme governing preparatory investments in pioneer activities relating to polymetallic nodules,

*Recalling* its approval of the financing of the expenses of the Preparatory Commission from the regular budget of the United Nations,

*Taking special note* of the report of the Secretary-General<sup>109</sup> prepared in response to paragraph 10 of General Assembly resolution 37/66.

1. *Recalls* the historic significance of the United Nations Convention on the Law of the Sea as an important contribution to the maintenance of peace, justice and progress for all peoples of the world;

2. *Expresses its satisfaction* at the large number of signatures affixed to the Convention as well as at the number of ratifications deposited with the Secretary-General during the year following the opening of the Convention for signature;

3. *Calls upon* States that have not done so to consider signing and ratifying the Convention at the earliest possible date to allow the effective entry into force of the new legal régime for the uses of the sea and its resources;

4. *Calls upon* all States to safeguard the unified character of the Convention and its related resolutions;

5. *Appeals* to all States to refrain from taking any action directed at undermining the Convention or defeating its objectives and purposes;

6. *Requests* the Secretary-General to accord due consideration to the activities outlined in his report, special emphasis being placed on the work of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea:

<sup>105</sup> *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.2), document A/CONF.62/122.

<sup>106</sup> *Ibid.*, document A/CONF.62/121, annex I.

<sup>107</sup> See A/38/570 and Corr.1, sect. IV.

<sup>108</sup> *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 6A (A/37/6 Add.1), annex II.*

<sup>109</sup> A/38/570 and Corr.1 and Add.1 and Add.1-Corr.1.

7. Expresses its appreciation for the report of the Secretary-General and approves the recommendations contained therein;

8. Requests the Secretary-General to report to the General Assembly at its thirty-ninth session on developments relating to the Convention and on the implementation of the present resolution;

9. Decides to include in the provisional agenda of its thirty-ninth session an item entitled "Law of the Sea".

96th plenary meeting  
14 December 1983

## B

### *The General Assembly*

Pays tribute to His Excellency Mr. Bernardo Zuleta, Special Representative of the Secretary-General for the Law of the Sea, recently deceased, whose services to the Third United Nations Conference on the Law of the Sea were decisive for the elaboration of the United Nations Convention on the Law of the Sea and for the progressive development of international law and international co-operation.

96th plenary meeting  
14 December 1983

### **38/60. United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy**

#### *The General Assembly,*

Reaffirming its resolution 32/50 of 8 December 1977,

Recalling its other resolutions regarding the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy,

Noting the work carried out so far by the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy,<sup>110</sup>

1. Decides that the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy shall be held in 1986;

2. Requests the Chairman of the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy and the Secretary-General of the Conference to undertake immediately appropriate consultations with Member States which could facilitate the resolution of pending issues relating to the Conference, including its provisional agenda and rules of procedure, as well as to the venue and the actual dates of the Conference, and to report thereon to the Preparatory Committee at its fifth session, and decides that the expenses incurred in this regard will be covered from existing budgetary resources;

3. Notes with appreciation that the Conference secretariat is proceeding with the preparations for the Conference and requests the Secretary-General of the Conference to continue those preparations;

4. Also decides that the Preparatory Committee will hold its fifth session at Vienna in June 1984, for a period of up to two weeks, in order to complete its work on an

<sup>110</sup> See *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 48 (A/36/48)*; and *ibid., Thirty-seventh Session, Supplement No. 48(A/37/48)* and *Supplement No. 48A (A/37/48/Add.1)*.

agreed agenda as well as on other outstanding issues related to the Conference;

5. Requests the Preparatory Committee to submit a report to the General Assembly at its thirty-ninth session so that the Assembly may consider, in the light of this report, the venue and actual dates for the Conference in 1986, as also for further meetings of the Committee;

6. Urges the International Atomic Energy Agency, as well as the specialized agencies and other relevant organizations of the United Nations system, to continue to contribute effectively to the preparations for the Conference so as to achieve meaningful results from the Conference, in accordance with the objectives of General Assembly resolution 32/50;

7. Urges all States to co-operate actively in the preparation of the Conference;

8. Decides to include in the provisional agenda of its thirty-ninth session the item entitled "United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy".

96th plenary meeting  
14 December 1983

### **38/180. The situation in the Middle East**

## A

#### *The General Assembly,*

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 30 September 1983,<sup>111</sup>

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982 and 37/123 A of 16 December 1982,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression";

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming *once more* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>112</sup> to the occupied Palestinian and other Arab territories, including Jerusalem,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting further that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in

<sup>111</sup> A/38/458-S/16015. For the printed text, see *Official Records of the Security Council, Thirty-eighth Year, Supplement for July, August and September 1983*, document S/16015.

<sup>112</sup> United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

particular resolution 497 (1981), thus failing to carry out its obligations under the Charter.

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1 and 37/123 A;

2. *Declares once more* that Israel's continued occupation of the Golan Heights and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,<sup>113</sup> and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect of their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Golan Heights since 1967 and their annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplures* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplures* any political, economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its

obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(a) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(b) To refrain from acquiring any weapons or military equipment from Israel;

(c) To suspend economic, financial and technological assistance to and co-operation with Israel;

(d) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international institutions to conform their relations with Israel to the terms of the present resolution;

17. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

102nd plenary meeting  
19 December 1983

## B

*The General Assembly,*

*Recalling* the relevant provisions of the Universal Declaration of Human Rights,<sup>114</sup>

*Recalling also* the Constitution of the United Nations Educational, Scientific and Cultural Organization<sup>115</sup> and all other relevant international instruments concerning the right to cultural identity in all its forms,

*Having learned* that the Israeli army, during its occupation of Beirut, seized and took away archives and documents of every kind concerning Palestinian history and culture, including cultural articles belonging to Palestinian institutions—in particular the Palestine Research Centre—archives, documents, manuscripts and materials such as film documents, literary works by major authors, paintings, *objets d'art* and works of folklore, research works and so forth, serving as a foundation for the history, culture, national awareness, unity and solidarity of the Palestinian people.

1. *Condemns* those acts of plundering of the Palestinian cultural heritage;

2. *Calls upon* the Government of Israel to make full restitution, through the United Nations Educational, Scientific and Cultural Organization, of all cultural property belonging to Palestinian institutions, including the archives and documents removed from the Palestine Research Centre and arbitrarily seized by the Israeli forces;

3. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

102nd plenary meeting  
19 December 1983

<sup>113</sup> Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

<sup>114</sup> Resolution 217 A (III).

<sup>115</sup> See *Manual of the General Conference*, 1981 edition (Paris, UNESCO, 1981).



## C

*The General Assembly,*

Recalling its resolutions 36/120 E of 10 December 1981 and 37/123 C of 16 December 1982, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

1. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;
2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980);
3. Calls once again upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;
4. Requests the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

*102nd plenary meeting  
19 December 1983*

## D

*The General Assembly,*

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982 and 37/123 F of 16 December 1982,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

Taking note of the report of the Secretary-General of 12 October 1982,<sup>116</sup>

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and to the situation in the Middle East,

Gravely concerned that the Arab and Palestinian territories occupied since 1967, including Jerusalem, still remain

under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>112</sup> to all the occupied Palestinian and other Arab territories, including Jerusalem,

Reiterating all relevant United Nations resolutions which emphasize that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at recent Israeli actions involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Recognizing the great importance of the time factor in the endeavours to achieve a comprehensive, just and lasting peace in the Middle East,

1. Reaffirms its conviction that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

2. Reaffirms further that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. Declares once more that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of relevant resolutions of the United Nations, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relevant to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982 and 37/86 E of 20 December 1982;

4. Welcomes the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982;<sup>117</sup>

5. Condemns Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in

<sup>116</sup> A/37/525-S/15451. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15451.

<sup>117</sup> See A/37/696-S/15510, annex.

violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since June 1967;

6. *Rejects* all agreements and arrangements which violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981, determines that Israel's decision to annex Jerusalem and to declare it its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately, and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions, including Assembly resolutions 37/86 A to E;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly Palestinians in Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan Heights, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relating to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, together with the recent accords concluded in this context, would encourage Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region;

11. *Calls upon* all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms* the call for the convening of an international peace conference on the Middle East—as specified in paragraph 5 of the Geneva Declaration on Palestine,<sup>118</sup> adopted on 7 September 1983 by the International Conference on the Question of Palestine—under the auspices of the United Nations and on the basis of relevant resolutions of the United Nations;

14. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-ninth session a comprehensive report covering the developments in the Middle East in all their aspects.

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19 December 1983

## E

*The General Assembly,*

*Having considered* the item entitled "The situation in the Middle East",

*Recalling* its resolutions 36/226 A of 17 December 1981 and 37/123 F of 20 December 1982, in which it stated, *inter alia*, its concern over certain factors which exacerbate the situation in the Middle East,

*Deeply concerned* at recent developments in the Middle East and the critical situation confronting the region resulting from the continued escalation of Israel's policy of aggression, expansion and annexation in the region,

*Expressing grave concern* over the continued supply of modern arms and war materials to Israel, augmented by substantial economic aid, without which Israel's policy of aggression and of flouting United Nations resolutions could not be maintained,

*Deeply aware* that the recent reported agreements following the memorandum of understanding between the United States of America and Israel will increase Israel's intransigence and its war potential and escalate its expansionist and annexationist policies in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, at a time when it is defying United Nations resolutions,

1. *Declares*, accordingly, the international responsibility of any party or parties that supply Israel with arms or economic aid that augment its war potential;

2. *Expresses deep concern* at and condemns all steps which may result in augmenting the capability of Israel and contributing to its policy of aggression against countries in the region;

3. *Demands* that all States, particularly the United States of America, in the light of the said agreements, refrain from taking any step that would support Israel's war capabilities and consequently its aggressive acts, whether in the Palestinian and other Arab territories occupied since 1967 or against countries in the region;

4. *Calls upon* all States to review, in the light of the present resolution, any agreement, whether military, economic or otherwise, concluded with Israel.

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<sup>118</sup> *Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983* (United Nations publication, Sales No. E.83.I.21), chap. I, sect. A.

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**38/61. Implementation of General Assembly resolution 37/71 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)**

*The General Assembly,*

Recalling its resolutions 2286 (XXII) of 5 December 1967, 3262 (XXIX) of 9 December 1974, 3473 (XXX) of 11 December 1975, 32/76 of 12 December 1977, S-10/2 of 30 June 1978, 33/58 of 14 December 1978, 34/71 of 11 December 1979, 35/143 of 12 December 1980, 36/83 of 9 December 1981 and 37/71 of 9 December 1982 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),<sup>2</sup>

Taking into account that within the zone of application of that Treaty, to which twenty-three sovereign States are already parties, there are some territories which, in spite of not being sovereign political entities, are nevertheless in a position to receive the benefits deriving from the Treaty through its Additional Protocol I, to which the States that *de jure* or *de facto* are internationally responsible for those territories may become parties,

Recalling that the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands and the United States of America became parties to Additional Protocol I in 1969, 1971 and 1981, respectively,

1. *Deplores* that the signature of Additional Protocol I by France, which took place on 2 March 1979, has not yet been followed by the corresponding ratification, notwithstanding the time already elapsed and the pressing invitations which the General Assembly has addressed to it;

2. *Once more urges* France not to delay any further such ratification, which has been requested so many times;

3. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "Implementation of General Assembly resolution 38/61 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

*97th plenary meeting  
15 December 1983*

**38/62. Cessation of all test explosions of nuclear weapons**

*The General Assembly,*

*Bearing in mind* that the complete cessation of nuclear-weapon tests, which has been examined for more than twenty-five years and on which the General Assembly has adopted more than forty resolutions, is a basic objective of the United Nations in the sphere of disarmament, to the attainment of which it has repeatedly assigned the highest priority,

*Stressing* that on seven different occasions it has condemned such tests in the strongest terms and that, since 1974, it has stated its conviction that the continuance of nuclear-weapon testing will intensify the arms race, thus increasing the danger of nuclear war,

*Reiterating* the assertion made in several previous resolutions that, whatever may be the differences on the question of verification, there is no valid reason for delaying

the conclusion of an agreement on a comprehensive test ban.

*Recalling* that since 1972 the Secretary-General has declared that all the technical and scientific aspects of the problem have been so fully explored that only a political decision is now necessary in order to achieve final agreement, that when the existing means of verification are taken into account it is difficult to understand further delay in achieving agreement on an underground-test ban, and that the potential risks of continuing underground nuclear-weapon tests would far outweigh any possible risks from ending such tests.

*Taking into account* that the three nuclear-weapon States which act as depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water<sup>3</sup> undertook in that Treaty, twenty years ago, to seek the achievement of the discontinuance of all test explosions of nuclear weapons for all time and that such an undertaking was explicitly reiterated in 1968 in the preamble to the Treaty on the Non-Proliferation of Nuclear Weapons,<sup>4</sup> article VI of which further embodies their solemn and legally binding commitment to take effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament,

*Bearing in mind* the growing negative influence that the total lack of compliance with those undertakings had on both the first and the second Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held at Geneva from 5 to 30 May 1975 and from 11 August to 7 September 1980 respectively,

*Convinced* that the maintenance of such a situation would not augur well for the third review conference of that Treaty, which is to take place in 1985, and even for the future of the Treaty itself,

*Deploring* that, due to the persistent obstruction of a very small number of its members, the Committee on Disarmament—which henceforth will be designated as the Conference on Disarmament<sup>5</sup>—has been unable to initiate multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests, as it was specifically requested to do in General Assembly resolution 37/72 of 9 December 1982,

*Noting* that the Conference on Disarmament has already received various concrete proposals on this question, including a complete draft for the eventual text of the treaty as a whole.

1. *Reiterates once again its grave concern* that nuclear-weapon testing continues unabated, against the wishes of the overwhelming majority of Member States;

2. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the highest priority;

3. *Reaffirms also its conviction* that such a treaty would constitute a contribution of the utmost importance to the cessation of the arms race and an indispensable element for the success of the Treaty on the Non-Proliferation of Nuclear Weapons, since it is only through the fulfilment of the obligations under the Treaty that its three depositary Powers may expect all other parties to comply likewise with their respective obligations;

4. *Urges once more* the three depositary Powers of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons to abide strictly by

<sup>2</sup> United Nations, *Treaty Series*, vol. 634, No. 9068, p. 326.

<sup>3</sup> *Ibid.*, vol. 480, No. 6964, p. 43.

<sup>4</sup> Resolution 2373 (XXII), annex.

<sup>5</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).

their undertakings to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end;

5. *Urges also* all States that have not yet done so to adhere to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and, meanwhile, to refrain from testing in the environments covered by that Treaty;

6. *Reiterates its appeal* to all States members of the Conference on Disarmament to initiate immediately the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests and to exert their best endeavours in order that the Conference may transmit to the General Assembly at its thirty-ninth session the complete draft of such a treaty;

7. *Calls upon* the States depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and the Treaty on the Non-Proliferation of Nuclear Weapons, by virtue of their special responsibilities under those two Treaties and as a provisional measure, to bring to a halt without delay all nuclear-test explosions, either through a trilaterally agreed moratorium or through three unilateral moratoria;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Cessation of all test explosions of nuclear weapons".

97th plenary meeting  
15 December 1983

### 38/63. Urgent need for a comprehensive nuclear-test-ban treaty

*The General Assembly:*

*Convinced* of the urgent need for a comprehensive nuclear-test-ban treaty capable of attracting the widest possible international support and adherence,

*Reaffirming its conviction* that an end to nuclear-weapon testing by all States in all environments would be a major step towards ending the qualitative improvement, development and proliferation of nuclear weapons, a means of relieving the deep apprehension concerning the harmful consequences of radioactive contamination for the health of present and future generations and a measure of the utmost importance in bringing the nuclear-arms race to an end,

*Recalling* that the parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water<sup>3</sup> undertook not to carry out any nuclear-weapon-test explosion, or any other nuclear explosion, in the environments covered by that Treaty, and that in that Treaty and in the Treaty on the Non-Proliferation of Nuclear Weapons<sup>4</sup> the parties expressed their determination to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

*Recalling also* its previous resolutions on this subject,

*Taking into account* that part of the report of the Committee on Disarmament concerning consideration of the item entitled "Nuclear-test ban" during its session in 1983,<sup>6</sup>

*Noting*, in particular, that Sweden submitted to the Committee on Disarmament a draft treaty banning any

nuclear-weapon-test explosion in any environment<sup>7</sup> which took into account both the report on the trilateral negotiations submitted to the Committee in 1980<sup>8</sup> and the basic provisions of a treaty on the complete and general prohibition of nuclear-weapon tests proposed by the Union of Soviet Socialist Republics in 1982,<sup>9</sup>

*Recognizing* the important role of the Conference on Disarmament<sup>5</sup> in the negotiation of a comprehensive nuclear-test-ban treaty.

*Recognizing* the importance to such a treaty of the work assigned by the Committee on Disarmament to the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events on a global network of stations for the exchange of seismological data.

*Recalling* paragraph 31 of the Final Document of the Tenth Special Session of the General Assembly,<sup>10</sup> relating to verification of disarmament and arms control agreements, which stated that the form and modalities of the verification to be provided for in any specific agreement depend on, and should be determined by, the purposes, scope and nature of the agreement.

1. *Reiterates its profound concern* that, despite the express wishes of the majority of Member States, nuclear-weapon testing continues;

2. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the greatest importance;

3. *Expresses the conviction* that such a treaty would constitute a vital element for the success of efforts to halt and reverse the nuclear-arms race and the qualitative improvement of nuclear weapons, and to prevent the expansion of existing nuclear arsenals and the spread of nuclear weapons to additional countries;

4. *Notes* that the Committee on Disarmament, in the exercise of its responsibilities as the multilateral disarmament negotiating forum, re-established at its session in 1983 an *Ad Hoc* Working Group under item 1 of its agenda, entitled "Nuclear-test ban", and that the *Ad Hoc* Working Group considered the issues under its mandate;

5. *Also notes* that the Committee on Disarmament agreed that the mandate of the *Ad Hoc* Working Group on a Nuclear-Test Ban may thereafter be revised as decided by the Committee, which will consider this question with appropriate urgency,<sup>11</sup> and that the Committee discussed the matter;

6. *Requests* the Conference on Disarmament:

(a) To resume its examination of issues relating to a comprehensive test ban, with a view to the negotiation of a treaty on the subject and, in accordance with that part of the report of the Committee concerning this item, to take up the question of a revised mandate for the *Ad Hoc* Working Group during its 1984 session;

(b) To determine, in the context of its negotiations on such a treaty, the institutional and administrative arrangements necessary for establishing, testing and operating an international seismic monitoring network as part of an effective verification system;

(c) To initiate investigation of other international measures to improve verification arrangements under such a treaty, including an international network to monitor atmospheric radioactivity;

<sup>6</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), sect. III.A.

<sup>7</sup> See CD/421/Appendix II/Vol. II, document CD/381.

<sup>8</sup> See CD/139/Appendix II/Vol. II, document CD/130.

<sup>9</sup> Official Records of the General Assembly, Thirty-seventh Session, Annexes, agenda items 39 to 57, 133, 136, 138 and 139, document A/37/243, appendix.

<sup>10</sup> Resolution S-10/2.

<sup>11</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), para. 10.

7. *Urges* all members of the Conference on Disarmament, in particular the nuclear-weapon States, to cooperate with the Conference in fulfilling these tasks;

8. *Calls upon* the Conference on Disarmament to report on progress to the General Assembly at its thirty-ninth session;

9. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Urgent need for a comprehensive nuclear-test-ban treaty".

*97th plenary meeting  
15 December 1983*

### **38/64. Establishment of a nuclear-weapon-free zone in the region of the Middle East**

*The General Assembly,*

*Recalling* its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 of 9 December 1981 and 37/75 of 9 December 1982 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

*Recalling also* the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, in particular paragraph 63 (*d*), of the Final Document of the Tenth Special Session of the General Assembly,<sup>10</sup>

*Emphasizing* the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place all their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and deposit such declarations with the Security Council for consideration, as appropriate,

*Reaffirming* the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

*Emphasizing further* the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

*Bearing in mind* the consensus reached by the General Assembly at its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security,

*Desirous* to build on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the region of the Middle East,

*Taking note* of the report of the Secretary-General,<sup>12</sup>

1. *Urges* all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective,

invites the States concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;<sup>13</sup>

2. *Calls upon* all States of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Invites* those States, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with the relevant paragraph of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

4. *Further invites* those States, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

5. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and spirit of the present resolution;

6. *Requests* the Secretary-General to submit a report to the General Assembly at its thirty-ninth session on the implementation of the present resolution;

7. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

*97th plenary meeting  
15 December 1983*

### **38/65. Establishment of a nuclear-weapon-free zone in South Asia**

*The General Assembly,*

*Recalling* its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976, 32/83 of 12 December 1977, 33/65 of 14 December 1978, 34/78 of 11 December 1979, 35/148 of 12 December 1980, 36/88 of 9 December 1981 and 37/76 of 9 December 1982 concerning the establishment of a nuclear-weapon-free zone in South Asia,

*Reiterating its conviction* that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures which can contribute most effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

*Believing* that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will strengthen the security of the States of the region against the use or threat of use of nuclear weapons,

*Noting* the declarations issued at the highest level by Governments of South Asian States reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

*Recalling* that in the above-mentioned resolutions it called upon the States of the South Asian region, and such other neighbouring non-nuclear-weapon States as might be interested, to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to this objective,

*Further recalling* that, in its resolutions 3265 B (XXIX), 31/73 and 32/83, it requested the Secretary-General to

<sup>12</sup> A/38/197.

<sup>13</sup> Resolution 2373 (XXII), annex.

convene a meeting for the purpose of the consultations mentioned therein and to render such assistance as might be required to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia.

*Bearing in mind* the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly<sup>14</sup> regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

*Taking note* of the report of the Secretary-General,<sup>15</sup>

1. *Reaffirms* its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

2. *Urges once again* the States of South Asia, and such other neighbouring non-nuclear-weapon States as may be interested, to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to this objective;

3. *Calls upon* those nuclear-weapon States that have not done so to respond positively to this proposal and to extend the necessary co-operation in the efforts to establish a nuclear-weapon-free zone in South Asia;

4. *Requests* the Secretary-General to render such assistance as may be required to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia and to report on the subject to the General Assembly at its thirty-ninth session;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

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**38/66. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects**

*The General Assembly:*

*Recalling* its resolutions 32/152 of 19 December 1977, 35/153 of 12 December 1980, 36/93 of 9 December 1981 and 37/79 of 9 December 1982,

*Recalling with satisfaction* the adoption, on 10 October 1980, of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, together with the Protocol on Non-Detectable Fragments (Protocol I), the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),<sup>16</sup>

*Reaffirming its conviction* that general agreement on the prohibition or restriction of use of specific conventional weapons would significantly reduce the suffering of civilian populations and of combatants,

*Taking note with satisfaction* of the report of the Secretary-General,<sup>17</sup>

1. *Notes with satisfaction* that an increasing number of States have either signed, ratified, accepted or acceded to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed

to Be Excessively Injurious or to Have Indiscriminate Effects, which was opened for signature in New York on 10 April 1981;

2. *Further notes with satisfaction* that, upon the fulfilment of the conditions set out in article 5 of the Convention, the Convention and the three Protocols annexed thereto entered into force on 2 December 1983;

3. *Urges* all States which have not yet done so to exert their best endeavours to become parties to the Convention and the Protocols annexed thereto as early as possible, so as to obtain ultimately universal adherence;

4. *Notes* that, under article 8 of the Convention, conferences may be convened to consider amendments to the Convention or any of the annexed Protocols, to consider additional Protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols, or to review the scope and operation of the Convention and the Protocols annexed thereto and to consider any proposal for amendments to the Convention or to the existing annexed Protocols and any proposals for additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols;

5. *Requests* the Secretary-General as the depositary of the Convention and its three annexed Protocols, to inform the General Assembly from time to time of the state of adherence to the said Convention and its Protocols;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects."

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**38/67. Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons**

*The General Assembly:*

*Convinced* of the need to take effective measures for the strengthening of the security of States and prompted by the desire shared by all nations to eliminate war and prevent nuclear conflagration,

*Taking into account* the principle of non-use of force or threat of force enshrined in the Charter of the United Nations and reaffirmed in a number of United Nations declarations and resolutions,

*Considering* that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

*Recognizing* that effective measures to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons can constitute a positive contribution to the prevention of the spread of nuclear weapons,

*Noting with satisfaction* the desire of States in various regions to prevent nuclear weapons from being introduced into their territories, including through the establishment of nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region con-

<sup>14</sup> Resolution S-10/2.

<sup>15</sup> A/38/198.

<sup>16</sup> A/CONF.95/15 and Corr.2, annex I. For the printed text of the Convention and its Protocols, see *United Nations, Disarmament Yearbook*, vol. 5, 1980 (United Nations publication, Sales No. E.81.X.4), appendix VII.

<sup>17</sup> A/38/405.



cerned, and being anxious to contribute to the attainment of this objective,

*Concerned* at the continuing escalation of the arms race, in particular the nuclear-arms race, and the increased danger of recourse to use or threat of use of nuclear weapons,

*Desirous* of promoting the implementation of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,<sup>18</sup> the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

*Recalling* its resolutions on this subject as well as the relevant part of the special report of the Committee on Disarmament,<sup>19</sup> submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament,

*Noting* that the Committee on Disarmament considered in 1983 the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" and the work done by its *Ad Hoc* Working Group on this item, as reflected in the report of the Committee on Disarmament,<sup>20</sup>

*Noting* the proposals submitted under that item in the Committee on Disarmament, including the drafts of an international convention, and the widespread international support for the conclusion of such a convention,

*Wishing* to promote an early and successful completion of the negotiations in the Conference on Disarmament,<sup>21</sup> aimed at the elaboration of a convention on the item,

*Further noting* that the idea of interim arrangements as a first step towards the conclusion of such a convention has also been considered in the Committee on Disarmament, particularly in the form of a Security Council resolution on this subject, and reaffirming the calls made in that respect in General Assembly resolutions 35/154 of 12 December 1980, 36/94 of 9 December 1981 and 37/80 of 9 December 1982,

*Convinced* that abandoning policies of first use of nuclear weapons would, *inter alia*, constitute a substantive contribution to the efforts to achieve progress towards effective strengthening of the security guarantees for non-nuclear-weapon States,

*Welcoming once again* the solemn declarations made by some nuclear-weapon States concerning non-first-use of nuclear weapons, in particular the obligation not to be the first to use nuclear weapons, assumed at the highest political level or confirmed at the twelfth special session of the General Assembly,

*Convinced further* that, if all nuclear-weapon States were to assume obligations not to be the first to use nuclear weapons, that would be tantamount, in practice, to banning the use of nuclear weapons against all States, including all non-nuclear-weapon States,

*Considering* that, in the search for a solution to the problem of security assurances, priority should be given to the legitimate security concerns of the non-nuclear-weapon States which, by virtue of their forgoing the nuclear option and of not allowing nuclear weapons to be stationed on their territories, have every right to expect to be most effectively guaranteed against the use or threat of use of nuclear weapons,

1. *Reaffirms once again* the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Committee on Disarmament there is once again no objection, in principle, to the idea of an international convention on this subject, although the difficulties involved have also been pointed out;

3. *Expresses its regret* that the difficulties as regards evolving a common approach acceptable to all, related to differing perceptions of security interests of some nuclear-weapon States and non-nuclear-weapon States, have once again prevented the Committee on Disarmament from making substantive progress towards the achievement of an agreement;

4. *Considers* that the Conference on Disarmament should continue to explore ways and means to overcome the difficulties encountered in the negotiations to reach an appropriate agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

5. *Requests* the Conference on Disarmament to continue the negotiations, as recommended in the report of the Committee on Disarmament on its 1983 session,<sup>20</sup> with a view to concluding an international instrument of a legally binding character to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons".

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### **38/68. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons**

*The General Assembly,*

*Bearing in mind* the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

*Convinced* that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

*Deeply concerned* at the continuing escalation of the arms race, in particular the nuclear-arms race, and the possibility of the use or threat of use of nuclear weapons,

*Convinced* that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

*Taking into account* the principle of the non-use of force or threat of force enshrined in the Charter of the United Nations,

*Deeply concerned* about the possibility of the use or threat of use of nuclear weapons,

*Recognizing* that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

<sup>18</sup> Resolution S-10/2.

<sup>19</sup> *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2)*, sect. III.C.

<sup>20</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 27 (A/38/27)*, sect. III.C.

<sup>21</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can constitute a positive contribution to the prevention of the spread of nuclear weapons,

Recalling its resolutions 3261 G (XXIX) of 9 December 1974 and 31/189 C of 21 December 1976,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,<sup>18</sup> in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Desirous of promoting the implementation of the relevant provisions of the Final Document of the Tenth Special Session,

Recalling its resolutions 33/72 of 14 December 1978, 34/85 of 11 December 1979, 35/155 of 12 December 1980, 36/95 of 9 December 1981 and 37/81 of 9 December 1982,

Further recalling paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, *inter alia*, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Welcoming the in-depth negotiations undertaken in the Committee on Disarmament and its *Ad Hoc* Working Group on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons,<sup>20</sup> with a view to reaching agreement on this item,

Noting the proposals submitted under that item in the Committee on Disarmament, including the drafts of an international convention,

Taking note of the decision of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>22</sup> as well as the relevant recommendations of the Organization of the Islamic Conference reiterated at the Thirteenth Islamic Conference of Foreign Ministers, held at Niamey from 22 to 26 August 1982,<sup>23</sup> calling upon the Committee on Disarmament to elaborate and reach an agreement on an international basis to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Further noting the support expressed in the Committee on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

1. Reaffirms the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. Notes with satisfaction that in the Committee on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-

weapon States against the use or threat of use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also been pointed out:

3. Appeals to all States, especially the nuclear-weapon States, to demonstrate the political will necessary to reach agreement on a common approach and, in particular, on a common formula which could be included in an international instrument of a legally binding character;

4. Recommends that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including in particular those considered in the Committee on Disarmament, should be further explored in order to overcome the difficulties;

5. Recommends that the Conference on Disarmament<sup>21</sup> should actively continue negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. Decides to include in the provisional agenda of its thirty-ninth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

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### 38/69. Israeli nuclear armament

The General Assembly,

Recalling its previous resolutions on Israeli nuclear armament,

Recalling its relevant resolutions on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also its resolution 35/157 of 12 December 1980 on military and nuclear collaboration with Israel,

Recalling its repeated condemnation of nuclear collaboration between Israel and South Africa,

Recalling Security Council resolution 487 (1981) of 19 June 1981 and taking note of the special report of the Special Committee against *Apartheid* on recent developments concerning relations between Israel and South Africa,<sup>24</sup>

Noting with concern Israel's refusal to comply with Security Council resolution 487 (1981),

Further noting with grave concern Israel's persistent refusal to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons,<sup>25</sup> despite repeated calls by the General Assembly, the Security Council and the International Atomic Energy Agency, and to place its nuclear facilities under Agency safeguards,

Conscious of the grave consequences which endanger international peace and security as a result of Israel's development and acquisition of nuclear weapons and Israel's collaboration with South Africa to develop nuclear weapons and their delivery systems,

<sup>22</sup> See A/38/132-S/15675 and Corr.1 and 2, annex, sect. I, para. 30.

<sup>23</sup> See A/37/567-S/15466, annex IV, para. 51.

<sup>24</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 22 A (A/38/22/Add.1).

<sup>25</sup> Resolution 2373 (XXII), annex.

*Taking note* of the report of the Secretary-General,<sup>26</sup>

1. *Condemns* Israel's refusal to renounce any possession of nuclear weapons and to place all its nuclear activities under international safeguards;
2. *Requests* the Security Council to take urgent and effective measures to implement its resolution 487 (1981) and to ensure that Israel complies with the resolution and places its nuclear facilities under International Atomic Energy Agency safeguards;
3. *Requests* the International Atomic Energy Agency to suspend any scientific co-operation with Israel which could contribute to Israel's nuclear capabilities;
4. *Reiterates* its condemnation of the Israeli threat, in violation of the Charter of the United Nations, to repeat its armed attack on peaceful nuclear facilities in Iraq and in other countries;
5. *Requests* the Secretary-General to continue to follow closely Israel's nuclear activities and the nuclear and military collaboration between Israel and South Africa and to report to the General Assembly at its thirty-ninth session thereon, as appropriate;
6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Israeli nuclear armament".

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### 38/70. Prevention of an arms race in outer space

*The General Assembly,*

*Inspired* by the great prospects opening up before mankind as a result of man's entry into outer space twenty-six years ago,

*Recognizing* the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

*Reaffirming* that the exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

*Reaffirming further* the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be exclusively for peaceful purposes,

*Recalling* that the States parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,<sup>27</sup> have undertaken, in article III, to carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law and the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding,

*Reaffirming*, in particular, article IV of the above-mentioned Treaty, which stipulates that States parties to the Treaty undertake not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies or station such weapons in outer space in any other manner,

*Reaffirming also* paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,<sup>28</sup> in which it is stated that, in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

*Recalling* its resolutions 36/97 C and 36/99 of 9 December 1981, 37/83 of 9 December 1982 and 37/99 D of 13 December 1982,

*Gravely concerned* at the danger posed to all mankind by an arms race in outer space,

*Mindful* of the widespread interest expressed by Member States in the course of the negotiations on and following the adoption of the above-mentioned Treaty in ensuring that the exploration and use of outer space should be for peaceful purposes, and taking note of proposals submitted to the General Assembly at its tenth special session and at its regular sessions and to the Committee on Disarmament,

*Noting* the grave concern expressed by the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space over the extension of an arms race into outer space and the recommendations made to the competent organs of the United Nations, in particular the General Assembly, and also to the Committee on Disarmament,<sup>29</sup>

*Convinced* that further measures are needed for the prevention of an arms race in outer space,

*Recognizing* that, in the context of multilateral negotiations for preventing an arms race in outer space, the resumption of bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America could make a significant contribution to such an objective,

*Taking note* of the report of the Committee on Disarmament,<sup>30</sup>

*Noting* that in the course of its session in 1983 the Committee on Disarmament considered this subject both at its formal and informal meetings, as well as through informal consultations,

*Aware* of the various proposals submitted by Member States to the Committee on Disarmament, particularly concerning the establishment of a working group on the subject and its draft mandate, which had been considered extensively by a contact group,

*Taking note* of the draft Treaty on the Prohibition of the Use of Force in Outer Space and from Space against the Earth, submitted by the Union of Soviet Socialist Republics,<sup>31</sup> as well as views and comments expressed during the discussion of that draft at its thirty-eighth session,

*Expressing its deep concern and disappointment* that, although there was no objection, in principle, to the establishment without delay of such a working group, the Committee on Disarmament has not thus far been enabled to reach agreement on an acceptable mandate for the working group during its 1983 session,

1. *Reaffirms* that general and complete disarmament under effective international control warrants that outer space shall be used exclusively for peaceful purposes and that it shall not become an arena for an arms race;

2. *Emphasizes* that further effective measures to prevent an arms race in outer space should be adopted by the international community;

<sup>26</sup> A/38/199.

<sup>27</sup> Resolution 2222 (XXI), annex.

<sup>28</sup> Resolution S-10/2.

<sup>29</sup> See *Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982 (A/CONF.101/10 and Corr.1 and 2)*, paras. 13, 14 and 426.

<sup>30</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, sect. III.G.

<sup>31</sup> *Ibid.*, *Thirty-eighth Session, Annexes*, agenda items 43-63, 139, 141, 143 and 144, document A/38/194, annex.

3. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and to take immediate measures to prevent an arms race in outer space;

4. *Reiterates* that the Conference on Disarmament,<sup>32</sup> as the single multilateral disarmament negotiating forum, has a primary role in the negotiation of an agreement or agreements, as appropriate, on the prevention of an arms race in all its aspects in outer space;

5. *Requests* the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;

6. *Also requests* the Conference on Disarmament to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects, taking into account all relevant proposals, including the consideration of the proposal referred to in the preambular part of the present resolution;

7. *Further requests* the Conference on Disarmament to establish an *ad hoc* working group at the beginning of its session in 1984, with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in all its aspects in outer space;

8. *Requests* the Conference on Disarmament to report on its consideration of this subject to the General Assembly at its thirty-ninth session;

9. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this subject by the General Assembly at its thirty-eighth session;

10. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Prevention of an arms race in outer space".

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### **38/71. Relationship between disarmament and development**

#### **A**

*The General Assembly,*

*Recalling* the conclusions contained in the study entitled *The Relationship between Disarmament and Development*,<sup>33</sup>

*Recalling also* its resolution 37/84 of 9 December 1982,

1. *Takes note with appreciation* of the report of the Secretary-General<sup>34</sup> on measures taken within the United Nations system in implementation of resolution 37/84;

2. *Requests* the Secretary-General to submit a report to the General Assembly at its fortieth session based on appropriate measures taken by Member States and within the United Nations system in accordance with resolution 37/84.

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<sup>32</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).

#### **B**

*The General Assembly,*

*Deeply concerned* by the arms buildup and trends in military expenditures, the consequent waste of human and economic resources and the resulting risks for world peace and security,

*Also concerned* by the extent of the crisis affecting the world economy, particularly the developing countries,

*Considering* that the magnitude of military expenditures is now such that their various implications can no longer be ignored in the efforts pursued in the international community to secure the recovery of the world economy and the establishment of a new international economic order,

*Also considering* that a reduction of arms expenditures, especially by nuclear-weapon States and other militarily important States, on a mutually agreed basis would be a measure that would curb the arms buildup and would make it possible to release additional resources for use in economic and social development, particularly for the benefit of the developing countries,

*Bearing in mind* the conclusions of the study entitled *The Relationship between Disarmament and Development*,<sup>33</sup> as well as General Assembly resolutions 36/92 G of 9 December 1981 and 37/84 of 9 December 1982, in which the Assembly took note of those conclusions,

*Noting* that an investigation of the modalities of an international disarmament fund for development was undertaken in 1983 by the United Nations Institute for Disarmament Research, as requested by the General Assembly in its resolution 37/84,

*Recalling* the recommendation of the General Assembly in that resolution that the question of the conversion of resources from military to civilian purposes and the reallocation to economic and social development of the resources released by disarmament measures should be included in the provisional agenda of the Assembly at intervals to be decided upon,

*Convinced* that the time has come to study measures that could be taken on the basis of the conclusions and recommendations of existing studies or studies being prepared on the question,

*Noting* that the envisaged initiatives include, in particular, a proposal for a conference on the various implications of the relationship between disarmament and development and a proposal on the establishment of an international disarmament fund for development,

1. *Expresses its conviction* that increased solidarity in the field of development would serve the cause of international peace and security and that the resources released by the reduction of arms expenditures would contribute to the growth and stability of the world economy, and particularly the economies of developing countries;

2. *Invites* Member States to communicate to the Secretary-General, by 1 April 1984, their views and proposals concerning the relationship between disarmament and development, in particular with regard to the following:

(a) The evaluation of the burden of armaments in the world;

(b) The impact of military expenditures on the world economic situation and development;

(c) The contribution that a reduction in arms and military expenditures, in particular by nuclear-weapon States and other militarily important States, or a contribution by

<sup>33</sup> United Nations publication, Sales No. E.82.IX.1.

<sup>34</sup> A/38/436.

those States, as appropriate, would make to development tasks;

(d) The ways and means that would enable this contribution to be made, in particular in the interests of the economic and social progress of the developing countries;

(e) The consideration of proposals relating to the convening of a conference;

3. *Requests* the Secretary-General to transmit the replies of Member States to the Disarmament Commission in good time;

4. *Requests* the Disarmament Commission to include this item in the agenda of its session to be held in 1984, to consider the replies received and to make appropriate recommendations to the General Assembly at its thirty-ninth session.

*97th plenary meeting  
15 December 1983*

### **38/72. Immediate cessation and prohibition of nuclear-weapon tests**

*The General Assembly,*

*Deeply concerned* over the continuing nuclear-arms race and the growing danger of nuclear war,

*Convinced* that the conclusion of a multilateral treaty on the prohibition of nuclear-weapon tests by all States would constitute a vital element for the success of efforts to halt and reverse the nuclear-arms race and the qualitative improvement of nuclear weapons, and to prevent the expansion of existing nuclear arsenals and the spread of nuclear weapons to additional countries,

*Convinced also* that the elaboration of such a treaty is a task of the highest priority and should not be made dependent on the attainment of any other measure in the field of disarmament,

*Deploring* that the Committee on Disarmament has to date been unable to carry out negotiations with a view to reaching agreement on such a treaty,

*Recalling* its previous resolutions on this subject,

1. *Urges* all States to exert every effort for the speediest elaboration of a multilateral treaty on the prohibition of nuclear-weapon tests by all States;

2. *Urges* the Conference on Disarmament<sup>32</sup> to proceed promptly to negotiations with a view to elaborating such a treaty as a matter of the highest priority, taking into account all existing drafts and proposals and future initiatives, and for that purpose to assign to its subsidiary body a negotiating mandate under an appropriate item of its agenda;

3. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "Implementation of General Assembly resolution 38/72 on the immediate cessation and prohibition of nuclear-weapon tests".

*97th plenary meeting  
15 December 1983*

### **38/73. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly**

**A**

#### CONFIDENCE-BUILDING MEASURES

*The General Assembly,*

*Recalling* its resolution 37/100 D of 13 December 1982, in which it requested the Disarmament Commission to consider the elaboration of guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level and to submit a progress report on its deliberations on this item to the General Assembly at its thirty-eighth session,

*Having considered* the report of the Disarmament Commission on the work accomplished during its session in 1983 on the item "Elaboration of guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level",<sup>35</sup>

*Expressing its concern* about the deterioration of the international situation and the further escalation of the arms race, which both reflect and aggravate the unsatisfactory international political climate, tension and mistrust,

*Desirous* of strengthening international peace and security and, at the same time, creating and improving conditions conducive to further measures of disarmament,

*Noting again* the findings of the *Comprehensive Study on Confidence-building Measures*<sup>36</sup> and in particular the important role that confidence-building measures can play with regard to regional and world-wide stability as well as to progress in disarmament,

*Mindful* of the fact that, while confidence-building measures cannot serve as a substitute for concrete disarmament measures, they play a very significant role in achieving disarmament, whether they are taken unilaterally, bilaterally or multilaterally,

*Convinced* of the usefulness of confidence-building measures freely arrived at by the States concerned and agreed upon, taking into account the particular conditions and requirements of the regions concerned,

*Convinced* of the need to reduce mistrust and fear among States through the realization of confidence-building measures, such as those recommended by consensus in the *Comprehensive Study on Confidence-building Measures*, including pertinent and timely information on military activities and other matters pertaining to mutual security, and measures concerning the peacetime military conduct of States, as well as through progress on concrete measures of disarmament.

*Recalling* that confidence reflects a set of interrelated factors of a military as well as of a non-military character and that a plurality of approaches is needed to overcome fear, apprehension and mistrust between States and to replace them by confidence,

*Welcoming* the convening at Stockholm on 17 January 1984 of the Conference on Confidence- and Security-building Measures and Disarmament in Europe, of which the first stage will be devoted to the negotiation and adoption of a set of mutually complementary confidence- and security-building measures designed to reduce the risk of military confrontation in Europe as characterized in the Concluding Document of the Madrid meeting of representatives of the participating States of the Conference on

<sup>35</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 42 (A/38/42), para. 26.

<sup>36</sup> United Nations publication, Sales No. E.82.1X.3.

Security and Co-operation in Europe, held from 11 November 1980 to 9 September 1983.

1. *Urges* all States to encourage and assist all efforts designed to explore further the ways in which confidence-building measures can strengthen international peace and security;

2. *Invites* all States to consider the possible introduction unilaterally, bilaterally or multilaterally of confidence-building measures in their particular regions and, where possible, to negotiate on them in keeping with the conditions and requirements prevailing in their respective regions;

3. *Requests* the Disarmament Commission to continue and conclude at its 1984 session the consideration of the item entitled "Elaboration of guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level";

4. *Further requests* the Disarmament Commission to submit a report on its deliberations on this item, containing such guidelines, to the General Assembly at its thirty-ninth session;

5. *Recommends* that all States consider the inclusion of a reference to, or an agreement on, confidence-building measures, as appropriate, in any joint statements or declarations of a political nature;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Consideration of guidelines for confidence-building measures".

97th plenary meeting  
15 December 1983

## B

### FREEZE ON NUCLEAR WEAPONS

*The General Assembly,*

*Recalling* its resolution 37/100 A of 13 December 1982,

*Convinced* that in this nuclear age lasting world peace can be based only on the attainment of the goal of general and complete disarmament under effective international control,

*Further convinced* that the highest priority objectives in the field of disarmament have to be nuclear disarmament and the elimination of all weapons of mass destruction,

*Recognizing* the urgent need to halt the arms race, particularly in nuclear weapons,

*Recognizing further* the urgent need for a negotiated reduction of nuclear-weapon stockpiles leading to their complete elimination,

*Noting with deep concern* that nuclear-weapon States have not so far taken any action in response to the call made in resolution 37/100 A,

1. *Once again calls upon* all nuclear-weapon States to agree to a freeze on nuclear weapons, which would, *inter alia*, provide for a simultaneous total stoppage of any further production of nuclear weapons and a complete cut-off in the production of fissionable material for weapons purposes;

<sup>37</sup> Resolution S-10/2.

<sup>38</sup> *Official Records of the General Assembly, Twelfth Special Session, Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32.*

2. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Freeze on nuclear weapons".

97th plenary meeting  
15 December 1983

## C

### UNITED NATIONS PROGRAMME OF FELLOWSHIPS ON DISARMAMENT

*The General Assembly,*

*Recalling* its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly,<sup>37</sup> to establish a programme of fellowships on disarmament, as well as its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly,<sup>38</sup> in which it, *inter alia*, decided to continue the programme and to increase the number of fellowships from twenty to twenty-five as from 1983,

*Noting with satisfaction* that the programme has already trained one hundred and four public officials from sixty-seven countries, most of whom are now in positions of responsibility in the field of disarmament affairs within their Governments or Permanent Missions to the United Nations, or representing their Governments at international disarmament meetings,

*Bearing in mind* the growing interest which continues to be manifested in the programme by an ever-increasing number of States,

*Recognizing* the fact that the programme of studies and activities as outlined in the report of the Secretary-General on the United Nations programme of fellowships on disarmament<sup>39</sup> has continued to expand,

*Having considered* the report of the Secretary-General,<sup>39</sup>

1. *Decides* to continue the United Nations programme of fellowships on disarmament;

2. *Requests* the Secretary-General to continue to apply the same criteria of objectivity and balance in drawing up the future programme of activities as he has done so far, in accordance with the guidelines established by the General Assembly at its thirty-third session;

3. *Expresses its appreciation* to the Governments of Germany, the Federal Republic of, Japan, Sweden, the Union of Soviet Socialist Republics and the United States of America for inviting the fellows to their countries in 1983 to study selected activities in the field of disarmament, thereby contributing to the fulfilment of the overall objectives of the programme, as well as providing additional information sources and practical knowledge for the fellows, and, in this connection, expresses the hope that other Member States will extend similar support to the programme;

4. *Takes note* of the decision of the Secretary-General to relocate the fellowship programme and its staff at Geneva as from 1 May 1983;<sup>40</sup>

5. *Notes* that the expansion of the programme has led to an increase in the level of its activities;

6. *Commends* the Secretary-General for the diligence with which the programme has continued to be carried out;

<sup>39</sup> A/38/533.

<sup>40</sup> *Ibid.*, para. 9.

7. *Requests* the Secretary-General to make the necessary arrangements for the implementation of the programme for 1984, in accordance with the guidelines established for it;

8. *Also requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the provisions of the present resolution.

*97th plenary meeting  
15 December 1983*

## D

### WORLD DISARMAMENT CAMPAIGN

*The General Assembly,*

*Recalling* that, in paragraph 15 of the Final Document of the Tenth Special Session of the General Assembly,<sup>37</sup> the first special session devoted to disarmament, it declared that it was essential that not only Governments but also the peoples of the world recognize and understand the dangers in the present situation and stressed the importance of mobilizing world public opinion on behalf of disarmament,

*Recalling also* its resolutions 35/152 I of 12 December 1980, 36/92 C of 9 December 1981 and 37/100 I of 13 December 1982, as well as the reports of the Secretary-General of 17 September 1981,<sup>41</sup> 11 June 1982<sup>42</sup> and 3 November 1982,<sup>43</sup>

*Having examined* the report of the Secretary-General of 30 August 1983<sup>44</sup> on the implementation of the programme of activities of the World Disarmament Campaign,

*Having also examined* the part of the report of the Secretary-General dealing with the activities of the Advisory Board on Disarmament Studies relating to the programme of activities of the World Disarmament Campaign,<sup>45</sup> as well as the final act of the 1983 United Nations Pledging Conference for the Campaign held on 27 October 1983,<sup>46</sup>

1. *Notes with satisfaction* the implementation of the programme of activities of the World Disarmament Campaign for 1983 as described in the report of the Secretary-General;<sup>44</sup>

2. *Notes also with satisfaction* the voluntary contributions made by Member States to the World Disarmament Campaign Voluntary Trust Fund, prior to and during the 1983 United Nations Pledging Conference for the Campaign;

3. *Decides* that at its thirty-ninth session there should be a second United Nations Pledging Conference for the World Disarmament Campaign, in order that all those Member States that have not yet announced their voluntary contributions may have an opportunity to do so;

4. *Recommends* that the voluntary contributions made by Member States to the World Disarmament Campaign Voluntary Trust Fund should not be earmarked for specific activities inasmuch as it is most desirable that the Secretary-General may enjoy full freedom to take the decisions he deems fit within the framework of the Campaign previously approved by the General Assembly and in exercise of the powers vested in him in connection with the Campaign;

5. *Requests* the Secretary-General to instruct the United Nations information centres and regional commissions to give wide publicity to the World Disarmament Campaign and, whenever necessary, to adapt, as far as possible, United Nations information materials into local languages;

6. *Also requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report covering both the implementation of the programme of activities of the World Disarmament Campaign by the United Nations system during 1984 and the programme of activities contemplated by the system for 1985;

7. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "World Disarmament Campaign".

*97th plenary meeting  
15 December 1983*

## E

### NUCLEAR-ARMS FREEZE

*The General Assembly,*

*Recalling* that in the Final Document of the Tenth Special Session of the General Assembly,<sup>37</sup> the first special session devoted to disarmament, adopted in 1978 and unanimously and categorically reaffirmed in 1982 during the twelfth special session of the General Assembly,<sup>47</sup> the second special session devoted to disarmament, the Assembly expressed deep concern over the threat to the very survival of mankind posed by the existence of nuclear weapons and the continuing arms race,

*Recalling also* that, on those occasions, it pointed out that existing arsenals of nuclear weapons are more than sufficient to destroy all life on earth and stressed that mankind is therefore confronted with a choice: halt the arms race and proceed to disarmament, or face annihilation.

*Noting* that the conditions prevailing today are a source of even more serious concern than those existing in 1978 because of several factors such as the deterioration of the international situation, the increase in the accuracy, speed and destructive power of nuclear weapons, the promotion of illusory doctrines of "limited" or "winnable" nuclear war and the many false alarms which have occurred owing to the malfunctioning of computers,

*Noting also* that at the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983, it was declared that the renewed escalation in the nuclear arms race, both in its quantitative and qualitative dimensions, as well as reliance on doctrines of nuclear deterrence, has heightened the risk of the outbreak of nuclear war and led to greater insecurity and instability in international relations,<sup>48</sup>

*Believing* that it is a matter of the utmost urgency to stop any further increase in the awesome arsenals of the two major nuclear-weapon States, which already have ample retaliatory power and a frightening overkill capacity,

*Believing also* that it is equally urgent to activate negotiations for the substantial reduction and qualitative limitation of nuclear arms,

*Considering* that a nuclear-arms freeze, while not an end in itself, would constitute the most effective first step for

<sup>41</sup> A/36/458.

<sup>42</sup> A/S-12/27.

<sup>43</sup> A/37/548.

<sup>44</sup> A/38/349.

<sup>45</sup> A/38/467, para. 8.

<sup>46</sup> A/CONF.123.1 and Corr.1

<sup>47</sup> *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 62.

<sup>48</sup> See A/38/132-S/15675 and Corr.1 and 2, annex, sect. I, para. 28.

the achievement of the above-mentioned two objectives, since it would provide a favourable environment for the conduct of the reduction negotiations while, at the same time, preventing the continued increase and qualitative improvement of existing nuclear weaponry during the period when the negotiations would take place.

*Firmly convinced* that at present the conditions are most propitious for such a freeze, since the Union of Soviet Socialist Republics and the United States of America are now equivalent in nuclear military power and it seems evident that there exists between them an overall rough parity.

*Conscious* that the mere application of the systems of surveillance, verification and control already agreed upon in some previous cases would be sufficient to provide a reasonable guarantee of faithful compliance with the undertakings derived from the freeze.

*Convinced* that it would be to the benefit of all other States possessing nuclear weapons to follow the example of the two major nuclear-weapon States as soon as positive results derived from the freeze agreed by them have been obtained.

1. *Urges once more* the Union of Soviet Socialist Republics and the United States of America, as the two major nuclear-weapon States, to proclaim, either through simultaneous unilateral declarations or through a joint declaration, an immediate nuclear-arms freeze, which would be a first step towards the comprehensive programme of disarmament and whose structure and scope would:

(a) Embrace:

- (i) A comprehensive test ban of nuclear weapons and of their delivery vehicles;
- (ii) The complete cessation of the manufacture of nuclear weapons and of their delivery vehicles;
- (iii) A ban on all further deployment of nuclear weapons and of their delivery vehicles;
- (iv) The complete cessation of the production of fissionable material for weapons purposes;

(b) Be subject to all the relevant measures and procedures of verification which have already been agreed by the parties in the case of the SALT I<sup>49</sup> and SALT II<sup>50</sup> treaties, as well as those agreed upon in principle by them during the preparatory trilateral negotiations on the comprehensive test ban held at Geneva;

(c) Be of an initial five-year duration, subject to prolongation in the event of other nuclear-weapon States joining in such a freeze, as the General Assembly expects them to do;

2. *Requests* the above-mentioned two major nuclear-weapon States to submit a joint report or two separate reports to the General Assembly, prior to the opening of its thirty-ninth session, on the implementation of the present resolution;

3. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "Implementation of General Assembly resolution 38/73 E on a nuclear-arms freeze".

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<sup>49</sup> "Interim Agreement between the United States of America and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms" (United Nations, *Treaty Series*, vol. 944, No. 13445, p. 3).

## F

### WORLD DISARMAMENT CAMPAIGN: ACTIONS AND ACTIVITIES

*The General Assembly,*

*Aware* of the growing public concern at the dangers of the arms race, particularly the nuclear-arms race, and its negative social and economic consequences.

*Noting with satisfaction* the successful beginning of the implementation of the World Disarmament Campaign and its positive impact on the mobilization on a large scale of world public opinion on behalf of peace and disarmament.

*Recalling* its resolutions 36/92 J of 9 December 1981 and 37/100 H of 13 December 1982, as well as the report of the Secretary-General on world-wide action for collecting signatures in support of measures to prevent nuclear war, to curb the arms race and for disarmament.<sup>51</sup>

*Welcoming* the voluntary contributions made to the World Disarmament Campaign Voluntary Trust Fund to carry out the objectives of the Campaign.

*Taking into account* the report of the Secretary-General on the implementation of the programme of activities of the World Disarmament Campaign.<sup>44</sup>

*Convinced* that the United Nations system, Member States, with respect for their sovereign rights, and other bodies, in particular non-governmental organizations, all have their role to play in achieving the objectives of the World Disarmament Campaign.

*Taking into account* the great number of various activities carried out within the framework of the World Disarmament Campaign, including action for collecting signatures in support of measures to prevent nuclear war, to curb the arms race and for disarmament.

1. *Reaffirms* the usefulness of further carrying out actions and activities which are an important manifestation of the will of world public opinion and which contribute effectively to the achievement of the objectives of the World Disarmament Campaign and thus to the creation of a favourable climate for making progress in the field of disarmament with a view to achieving the goal of general and complete disarmament under effective international control.

2. *Invites once again* Member States to co-operate with the United Nations to ensure a better flow of accurate information with regard to the various aspects of disarmament as well as actions and activities of the world public in support of peace and disarmament, and to avoid dissemination of false and tendentious information;

3. *Requests* the Secretary-General to report annually to the General Assembly on the implementation of the provisions of the present resolution.

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<sup>50</sup> "Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms" (see CD/53/Appendix III/vol. I, document CD/28).

<sup>51</sup> A/S-12/15 and Add 1.



## G

CONVENTION ON THE PROHIBITION OF THE USE OF  
NUCLEAR WEAPONS

*The General Assembly,*

*Alarmed* by the threat to the survival of mankind and to the life-sustaining system posed by nuclear weapons and by their use, inherent in concepts of deterrence,

*Conscious* of an increased danger of nuclear war as a result of the intensification of the nuclear-arms race and the serious deterioration of the international situation,

*Convinced* that nuclear disarmament is essential for the prevention of nuclear war and for the strengthening of international peace and security,

*Further convinced* that a prohibition of the use or threat of use of nuclear weapons would be a step towards the complete elimination of nuclear weapons leading to general and complete disarmament under strict and effective international control,

*Recalling* that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly,<sup>37</sup> it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and which would preclude the use or threat of use of nuclear weapons,

*Reaffirming* that the use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

*Noting with regret* that the Committee on Disarmament, during its session in 1983, was not able to undertake negotiations with a view to achieving agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a basis the text annexed to General Assembly resolution 37/100 C of 13 December 1982,

1. *Reiterates its request* to the Conference on Disarmament<sup>52</sup> to commence negotiations, as a matter of priority, in order to achieve agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a basis the text of the draft Convention on the Prohibition of the Use of Nuclear Weapons annexed to the present resolution;

2. *Further requests* the Conference on Disarmament to report to the General Assembly at its thirty-ninth session on the results of those negotiations.

*97th plenary meeting  
15 December 1983*

## ANNEX

Draft Convention on the Prohibition of the Use  
of Nuclear Weapons

*The States Parties to this Convention,*

*Alarmed* by the threat to the very survival of mankind posed by the existence of nuclear weapons,

*Convinced* that any use of nuclear weapons constitutes a violation of the Charter of the United Nations and a crime against humanity,

*Convinced* that this Convention would be a step towards the complete elimination of nuclear weapons leading to general and complete disarmament under strict and effective international control,

*Determined* to continue negotiations for the achievement of this goal,  
*Have agreed* as follows:

*Article 1*

The States Parties to this Convention solemnly undertake not to use or threaten to use nuclear weapons under any circumstances.

*Article 2*

This Convention shall be of unlimited duration.

*Article 3*

1. This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall enter into force on the deposit of instruments of ratification by twenty-five Governments, including the Governments of the five nuclear-weapon States, in accordance with paragraph 2 of this article.

4. For States whose instruments of ratification or accession are deposited after the entry into force of this Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Convention, as well as of the receipt of other notices.

6. This Convention shall be registered by the depositary in accordance with Article 102 of the Charter of the United Nations.

*Article 4*

This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred and \_\_\_\_\_.

## H

## DISARMAMENT AND INTERNATIONAL SECURITY

*The General Assembly,*

*Recalling* its resolutions 34/83 A of 11 December 1979, 35/156 J of 12 December 1980, 36/97 K of 9 December 1981 and 37/100 E of 13 December 1982,

*Deeply concerned* over the continuing stagnation in the disarmament negotiating efforts and the ever-escalating arms race, particularly the nuclear arms race, which make the survival of mankind extremely precarious,

*Gravely concerned* over the present state of international affairs characterized by the continued resort to violence and the use of force, in violation of the Charter of the United Nations,

*Firmly convinced* that a closely interdependent world composed of many sovereign nations cannot possibly function towards peace, security and survival in a nuclear and space age without an effectively functioning organization,

*Noting* that the fundamental function of the United Nations in its primary purpose is the security system provided for in the Charter and that the principles of disarmament embodied in Article 11 of the Charter and flowing from it are an integral part of the system of security,

*Convinced* that restoring to the United Nations its essential function in accordance with the provisions of the Charter would be a significant factor in creating the condi-

<sup>52</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).

tions conducive to the cessation of the arms race, particularly the nuclear-arms race, and for productive negotiations on disarmament measures.

*Bearing in mind* that recent events have brought into sharp focus the reality that consecutive decisions of the Security Council, adopted unanimously, were ignored and bypassed by those required to comply with them and in consequence the chain of events that followed further aggravated the situation,

*Determined* to avert the danger of an approaching nuclear war in a world of insecurity and anarchy in which the continuing lack of collective security through the United Nations is an essential factor,

*Having regard* to the warning in the report of the Secretary-General on the work of the Organization, submitted to the General Assembly at its thirty-seventh session,<sup>53</sup> that “it was the lack of an effective system of collective security through the League of Nations that . . . led to the Second World War”,

1. *Requests* the Security Council to expedite the conclusion of the agreements making armed forces available to the Security Council, as required by the Charter of the United Nations, to render operative the collective security system provided for in the Charter and thereby facilitate productive negotiations for the cessation of the arms race, particularly the nuclear-arms race, and for progress on disarmament;

2. *Further requests* the Security Council to submit a report, through the Secretary-General, to the General Assembly at its thirty-ninth session.

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## I

### CONVENING OF THE THIRD SPECIAL SESSION OF THE GENERAL ASSEMBLY DEVOTED TO DISARMAMENT

*The General Assembly,*

*Bearing in mind* the decision adopted at its twelfth special session to set, during its thirty-eighth session, the date of the third special session devoted to disarmament,<sup>54</sup>

*Desiring* to contribute to the furthering and broadening of positive processes initiated through the laying down of the foundations of an international disarmament strategy at its tenth special session,

1. *Decides* that the third special session of the General Assembly devoted to disarmament should be held not later than 1988;

2. *Decides also* to set, not later than at its fortieth session, the date of the third special session of the General Assembly devoted to disarmament and to make appropriate arrangements concerning the establishment of a preparatory committee for that third special session.

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<sup>53</sup> Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1).

<sup>54</sup> *Ibid.*, Twelfth Special Session, Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 66.

## J

### REGIONAL DISARMAMENT

*The General Assembly,*

*Recalling* its resolution 37/100 F of 13 December 1982 on regional disarmament,

1. *Takes note* of the report of the Secretary-General;<sup>55</sup>

2. *Takes note also* of the fact that, at the request of the States having participated in the Madrid meeting of representatives of the participating States of the Conference on Security and Co-operation in Europe, held from 11 November 1980 to 9 September 1983, on the basis of the provisions of the Final Act relating to the follow-up to the Conference, the Government of Spain has transmitted the Concluding Document of this meeting to the Secretary-General;

3. *Expresses its satisfaction*, in this connection, at the convening at Stockholm of the Conference on Confidence- and Security-building Measures and Disarmament in Europe, commencing on 17 January 1984, as a substantial and integral part of the multilateral process initiated by the Conference on Security and Co-operation in Europe;

4. *Takes note also* of the proposals made in the context of regional disarmament since the adoption of its resolution 37/100 F;

5. *Requests* the Secretary-General to keep the General Assembly regularly informed on the implementation of resolution 37/100 F, as well as on the activities carried out by the Secretariat, in particular the Department for Disarmament Affairs, and the United Nations Institute for Disarmament Research, in the field of the regional approach to disarmament;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled “Regional disarmament: report of the Secretary-General”.

97th plenary meeting  
15 December 1983

### 38/74. Implementation of the conclusions of the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and establishment of the Preparatory Committee for the Third Review Conference of the Parties to the Treaty

*The General Assembly,*

*Recalling* its resolution 2373 (XXII) of 12 June 1968, the annex to which contains the Treaty on the Non-Proliferation of Nuclear Weapons,

*Noting* the provisions of article VIII, paragraph 3, of that Treaty concerning the holding of successive review conferences,

*Noting* that in the Final Document of the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held at Geneva from 11 August to 7 September 1980, the Conference proposed to the Depositary Governments that a third conference to review the operation of the Treaty be convened in 1985<sup>56</sup> and noting that there appears to be a consensus among the parties that the Third Review Conference should be held at Geneva in August/September of that year,

<sup>55</sup> A/38/376 and Add.1 and 2.

<sup>56</sup> See *Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.11/22/1) (Geneva, 1980), para. 32.

1. *Notes* that, following appropriate consultations, an open-ended Preparatory Committee for the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was formed of parties to the Treaty serving on the Board of Governors of the International Atomic Energy Agency or represented on the Committee on Disarmament as well as any party to the Treaty which may express its interest in participating in the work of the Preparatory Committee;

2. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its preparation.

*97th plenary meeting  
15 December 1983*

### 38/75. Condemnation of nuclear war

*The General Assembly,*

*Expressing its alarm* at the growing threat of nuclear war, which can lead to the destruction of civilization on earth,

*Drawing the attention* of all States and peoples to the conclusions arrived at by the most eminent scientists and military and civilian experts to the effect that it is impossible to limit the deadly consequences of nuclear war if it is ever begun and that in a nuclear war there can be no victors,

*Convinced* that the prevention of nuclear catastrophe is the most profound aspiration of billions of people on earth,

*Reaffirming its call* for the conclusion of an international convention on the prohibition of the use of nuclear weapons with the participation of all the nuclear-weapon States,

1. *Resolutely, unconditionally and for all time condemns* nuclear war as being contrary to human conscience and reason, as the most monstrous crime against peoples and as a violation of the foremost human right—the right to life;

2. *Condemns* the formulation, propounding, dissemination and propaganda of political and military doctrines and concepts intended to provide “legitimacy” for the first use of nuclear weapons and in general to justify the “admissibility” of unleashing nuclear war;

3. *Calls upon* all States to unite and redouble their efforts aimed at removing the threat of nuclear war, halting the nuclear-arms race and reducing nuclear weapons until they are completely eliminated.

*97th plenary meeting  
15 December 1983*

### 38/76. Nuclear-weapon freeze

*The General Assembly,*

*Expressing its alarm* that the continuing nuclear-arms race seriously increases the risk of the outbreak of a nuclear war,

*Taking into account* the great responsibility of nuclear States for the preservation of universal peace and the prevention of nuclear war,

*Recalling* its resolution 37/100 B of 13 December 1982, in which it expressed the firm conviction that the existing conditions were most propitious for a nuclear-weapon freeze,

1. *Urges* all nuclear-weapon States to proceed to freeze, under appropriate verification, all nuclear weapons in their possession both in quantitative and qualitative terms, namely:

(a) To cease the buildup of all components of nuclear arsenals, including all kinds of nuclear-weapon delivery systems and all kinds of nuclear weapons;

(b) Not to deploy nuclear weapons of new kinds and types;

(c) To establish a moratorium on all tests of nuclear weapons and on tests of new kinds and types of their delivery systems;

(d) To stop the production of fissionable materials for the purpose of creating nuclear weapons;

2. *Calls upon* the Union of Soviet Socialist Republics and the United States of America, which possess the largest nuclear arsenals, to freeze, in the first place and simultaneously, their nuclear weapons on a bilateral basis by way of example to the other nuclear States;

3. *Believes* that all the other nuclear-weapon States should subsequently and as soon as possible freeze their nuclear weapons;

4. *Stresses* the urgent need to intensify efforts aimed at the speedy achievement of agreements on substantial limitations and radical reductions of nuclear weapons with a view to their complete elimination as the ultimate goal.

*97th plenary meeting  
15 December 1983*

### 38/77. Question of Antarctica

*The General Assembly,*

*Having considered* the item entitled “Question of Antarctica”,

*Conscious* of the increasing international awareness of and interest in Antarctica,

*Bearing in mind* the Antarctic Treaty<sup>57</sup> and the significance of the system it has developed,

*Taking into account* the debate on this item at its thirty-eighth session,<sup>58</sup>

*Convinced* of the advantages of a better knowledge of Antarctica,

*Affirming the conviction* that, in the interest of all mankind, Antarctica should continue forever to be used exclusively for peaceful purposes and that it should not become the scene or object of international discord,

*Recalling* the relevant paragraphs of the Economic Declaration adopted by the Seventh Conference of Heads of State or Government of the Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>59</sup>

1. *Requests* the Secretary-General to prepare a comprehensive, factual and objective study on all aspects of Antarctica, taking fully into account the Antarctic Treaty system and other relevant factors;

2. *Also requests* the Secretary-General to seek the views of all Member States in the preparation of the study;

3. *Requests* those States conducting scientific research in Antarctica, other interested States, the relevant special-

<sup>57</sup> United Nations, *Treaty Series*, vol. 402, No. 5778, p. 72.

<sup>58</sup> *Official Records of the General Assembly, Thirty-eighth Session, First Committee*, 42nd to 46th meetings.

<sup>59</sup> A/38/132-S/15675 and Corr.1 and 2, annex, sect. III, paras. 122 and 123.

ized agencies, organs, organizations and bodies of the United Nations system and relevant international organizations having scientific or technical information on Antarctica to lend the Secretary-General whatever assistance he may request for the purpose of carrying out the study;

4. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Question of Antarctica".

*97th plenary meeting  
15 December 1983*

### 38/181. Implementation of the Declaration on the Denuclearization of Africa

#### A

##### IMPLEMENTATION OF THE DECLARATION

*The General Assembly,*

*Bearing in mind* the Declaration on the Denuclearization of Africa<sup>60</sup> adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

*Recalling* resolution 1652 (XVI) of 24 November 1961, its earliest on the subject, as well as its resolutions 2033 (XX) of 3 December 1965, 32/81 of 12 December 1977, 33/63 of 14 December 1978, 34/76 A of 11 December 1979, 35/146 B of 12 December 1980, 36/86 B of 9 December 1981 and 37/74 A of 9 December 1982, in which it called upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone,

*Recalling* that in its resolution 33/63 it vigorously condemned any overt or covert attempt by South Africa to introduce nuclear weapons into the continent of Africa and demanded that South Africa refrain forthwith from conducting any nuclear explosion in the continent of Africa or elsewhere,

*Recalling* its resolution 35/146 A of 12 December 1980, by which it, *inter alia*, expressed its appreciation to the Secretary-General for his report on South Africa's plan and capability in the nuclear field<sup>61</sup> and expressed its deep alarm that the report of the Secretary-General had established South Africa's capability to manufacture nuclear weapons,

*Reaffirming* that South Africa's continued development of a nuclear capability seriously jeopardizes the realization of the objective of the Declaration and poses a grave threat not only to the security of African States but also to international peace and security,

*Recalling also* its resolution 37/100 F of 13 December 1982, by which it, *inter alia*, requested the Secretariat, in particular the Department for Disarmament Affairs, and the United Nations Institute for Disarmament Research to lend assistance to States and regional institutions which may request it in the context of regional disarmament measures taken at the initiative and with the participation of all the States concerned,

<sup>60</sup> *Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.*

<sup>61</sup> *South Africa's Plan and Capability in the Nuclear Field* (United Nations publication, Sales No. E.81.I.10).

<sup>62</sup> A/38/475, annex.

*Taking note* of the report of the Director of the United Nations Institute for Disarmament Research,<sup>62</sup>

*Taking note* of the report of the Secretary-General on the activities of the Advisory Board on Disarmament Studies,<sup>63</sup>

*Taking note with concern* of the report of the Disarmament Commission,<sup>64</sup> in particular its paragraph 24 dealing with the question of the nuclear capability of South Africa.

*Convinced* of the urgent need for the international community to consider practical measures for the realization of the objective of the Declaration,

1. *Strongly reiterates* its call upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone;

2. *Reaffirms* that implementation of the Declaration on the Denuclearization of Africa adopted by African heads of State and Government would be a significant measure to prevent the proliferation of nuclear weapons and to promote international peace and security;

3. *Condemns* South Africa's continued pursuit of a nuclear capability and all forms of nuclear collaboration by any State, corporation, institution or individual with the racist régime which enable it to frustrate the objective of the Declaration which seeks to keep Africa free from nuclear weapons;

4. *Calls upon* all States, corporations, institutions and individuals to terminate forthwith any form of collaboration with the racist régime of South Africa which enables it to frustrate the objective of the Declaration;

5. *Demands once again* that the racist régime of South Africa refrain from testing, manufacturing, deploying, transporting, storing, using or threatening to use nuclear weapons;

6. *Demands once again* that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;

7. *Requests* the United Nations Institute for Disarmament Research, in co-operation with the Department for Disarmament Affairs and in consultation with the Organization of African Unity, to provide data on the continued development of South Africa's nuclear capability;

8. *Requests* the Secretary-General to provide the necessary support to the United Nations Institute for Disarmament Research to enable it to carry out the task entrusted to it under the present resolution and for the Institute to submit a report to the Assembly at its thirty-ninth session;

9. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Implementation of the Declaration on the Denuclearization of Africa".

*103rd plenary meeting  
20 December 1983*

#### B

##### NUCLEAR CAPABILITY OF SOUTH AFRICA

*The General Assembly,*

*Recalling* its resolutions 34/76 B of 11 December 1979, 35/146 A of 12 December 1980, 36/86 A of 9 December 1981 and 37/74 B of 9 December 1982,

<sup>63</sup> A/38/467.

<sup>64</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 42 (A/38/42).*

*Bearing in mind* the Declaration on the Denuclearization of Africa<sup>60</sup> adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

*Recalling* that, in the Final Document of the Tenth Special Session of the General Assembly, it noted that the accumulation of armaments and the acquisition of armaments technology by racist régimes, as well as their possible acquisition of nuclear weapons, presented a challenging and increasingly dangerous obstacle to a world community faced with the urgent need to disarm,<sup>65</sup>

*Taking note* of resolution GC(XXVII)/RES/408 on South Africa's nuclear capabilities, adopted on 14 October 1983 by the General Conference of the International Atomic Energy Agency during its twenty-seventh regular session,

*Recalling* that, in its resolution 33/63 of 14 December 1978, it vigorously condemned any overt or covert attempt by South Africa to introduce nuclear weapons into the continent of Africa and demanded that South Africa refrain forthwith from conducting any nuclear explosion in the continent of Africa or elsewhere,

*Recalling* its resolution 35/146 A of 12 December 1980, by which it, *inter alia*, expressed its appreciation to the Secretary-General for his report on South Africa's plan and capability in the nuclear field<sup>61</sup> and expressed its deep alarm that the report of the Secretary-General had established South Africa's capability to manufacture nuclear weapons,

*Noting with regret* that, despite international concern over the nuclear capability of South Africa and the recognized need to deal concretely and expeditiously with it, the Disarmament Commission failed to conclude consideration of this important item on its agenda with specific recommendations during its 1983 session,<sup>66</sup>

*Gravely concerned* that South Africa, in flagrant violation of the principles of international law and the relevant provisions of the Charter of the United Nations, has not only continued but has in fact intensified its military attacks and other acts of aggression and subversion against independent States of southern Africa, in particular Lesotho, Mozambique and Angola, part of whose territory still remains occupied by South African forces,

*Strongly condemning* the military occupation by South African troops of parts of the territory of Angola in violation of its national sovereignty, independence and territorial integrity, and urging the immediate and unconditional withdrawal of South African troops from Angolan soil,

*Expressing its grave disappointment* that, despite repeated appeals by the international community, certain Western States and Israel have continued to collaborate with the racist régime of South Africa in the military and nuclear fields and that some of the same Western States have, by a ready recourse to the use of the veto, consistently frustrated every effort in the Security Council to deal decisively with the question of South Africa.

1. *Condemns* the massive build-up of South Africa's military machine, including its frenzied acquisition of nuclear-weapon capability for repressive and aggressive purposes and as an instrument of blackmail;

2. *Expresses its full support* for the Governments of the independent States of southern Africa in their efforts to guarantee and safeguard their territorial integrity and national sovereignty;

3. *Reaffirms* that the racist régime's acquisition of nuclear-weapon capability constitutes a very grave danger to international peace and security and, in particular, jeopardizes the security of African States and increases the danger of the proliferation of nuclear weapons;

4. *Requests* the Disarmament Commission to consider substantively and as a matter of priority South Africa's nuclear capability during its session in 1984, taking into account, *inter alia*, the findings contained in the report of the Secretary-General on South Africa's plan and capability in the nuclear field,<sup>61</sup> with a view to adopting concrete recommendations on the question;

5. *Requests* the Security Council, for the purposes of disarmament and to fulfil its obligations and responsibilities for the maintenance of international peace and security, to take enforcement measures to prevent any racist régimes from acquiring arms or arms technology;

6. *Further requests* the Security Council to conclude expeditiously its consideration of the recommendations of its Committee established by resolution 421 (1977) concerning the question of South Africa<sup>67</sup> with a view to blocking the existing loopholes in the arms embargo so as to render it more effective and prohibiting, in particular, all forms of co-operation and collaboration with the racist régime of South Africa in the nuclear field;

7. *Condemns* all forms of nuclear collaboration by any State, corporation, institution or individual with the racist régime of South Africa since such collaboration enables it to frustrate, *inter alia*, the objective of the Declaration on the Denuclearization of Africa which seeks to keep Africa free from nuclear weapons;

8. *Condemns*, in particular, recent decisions by some Member States to grant licences to several corporations in their territories to provide equipment and technical and maintenance services for nuclear installations in South Africa;

9. *Calls upon* all States, corporations, institutions and individuals to terminate forthwith all military and nuclear collaboration with the racist régime, including the provision to it of such materials as computers, electronic equipment and related technology;

10. *Demands once again* that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;

11. *Requests* the Secretary-General to follow very closely South Africa's evolution in the nuclear field and to report thereon to the General Assembly at its thirty-ninth session.

103rd plenary meeting  
20 December 1983

**38/182. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons**

*The General Assembly,*

*Recalling* its resolutions 3479 (XXX) of 11 December 1975, 31/74 of 10 December 1976, 32/84 A of 12 December 1977, 33/66 B of 14 December 1978, 34/79 of 11 December 1979, 35/149 of 12 December 1980, 36/89 of 9 December 1981 and 37/77 A of 9 December 1982 concerning the prohibition of new types of weapons of mass destruction,

<sup>67</sup> See *Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980*, document S/14179.

<sup>65</sup> Resolution S-10/2, para. 12.

<sup>66</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 42 (A/38/42)*, para. 24.

*Bearing in mind* the provisions of paragraph 39 of the Final Document of the Tenth Special Session of the General Assembly,<sup>68</sup> according to which qualitative and quantitative disarmament measures are both important for halting the arms race and efforts to that end must include negotiations on the limitation and cessation of the qualitative improvement of armaments, especially weapons of mass destruction, and the development of new means of warfare,

*Recalling* the decision contained in paragraph 77 of the Final Document to the effect that, in order to help prevent a qualitative arms race and so that scientific and technological achievements might ultimately be used solely for peaceful purposes, effective measures should be taken to prevent the emergence of new types of weapons of mass destruction based on new scientific principles and achievements, and that efforts aimed at the prohibition of such new types and new systems of weapons of mass destruction should be appropriately pursued,

*Expressing once again its firm belief*, in the light of the decisions adopted at the tenth special session, in the importance of concluding an agreement or agreements to prevent the use of scientific and technological progress for the development of new types of weapons of mass destruction and new systems of such weapons,

*Noting* that in the course of its session in 1983 the Committee on Disarmament considered the item entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons",

*Convinced* that all ways and means should be utilized to prevent the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

*Taking into consideration* the part of the report of the Committee on Disarmament relating to this question,<sup>69</sup>

1. *Requests* the Conference on Disarmament,<sup>70</sup> in the light of its existing priorities, to intensify negotiations, with the assistance of qualified governmental experts, with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, and to draft possible agreements on particular types of such weapons;

2. *Once again urges* all States to refrain from any action which could adversely affect the talks aimed at working out an agreement or agreements to prevent the emergence of new types of weapons of mass destruction and new systems of such weapons;

3. *Calls upon* the States permanent members of the Security Council as well as upon other militarily significant States to make declarations, identical in substance, concerning the refusal to create new types of weapons of mass destruction and new systems of such weapons, as a first step towards the conclusion of a comprehensive agreement on this subject, bearing in mind that such declarations would be approved thereafter by a decision of the Security Council;

4. *Calls again upon* all States to undertake efforts to ensure that ultimately scientific and technological achievements may be used solely for peaceful purposes;

5. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this item by the General Assembly at its thirty-eighth session;

6. *Requests* the Conference on Disarmament to submit a report on the results achieved to the General Assembly for consideration at its thirty-ninth session;

7. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament".

103rd plenary meeting  
20 December 1983

### 38/183. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

#### A

##### BILATERAL NUCLEAR-ARMS NEGOTIATIONS

*The General Assembly,*

*Deeply concerned* about the possibility of the deployment of new medium-range missiles in Europe and about the development of those already in existence on that continent,

*Profoundly alarmed* that the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America commenced at Geneva on 30 November 1981 have not so far reached results to meet the expectations of peoples,

*Deeply concerned* that the failure of those negotiations could lead to a significant new escalation in the spiralling arms competition in Europe and in the world, thereby gravely endangering international peace and security,

*Firmly convinced* that an early successful conclusion of those negotiations by reaching an appropriate agreement, in accordance with the principle of undiminished security at the lowest possible level of armament and military forces, would have crucial importance for the strengthening of international peace and security and for the reduction of the risk of nuclear war,

*Convinced also* that through negotiations, pursued in a spirit of flexibility and responsibility for the security interests of all peoples, it is still possible to reach an agreement,

1. *Urges* the Government of the Union of Soviet Socialist Republics and the Government of the United States of America to make every effort to reach an agreement at their bilateral negotiations at Geneva, or at least to agree on a provisional basis that no medium-range missiles be deployed and the number of the existing ones be reduced, while the negotiations would continue in order to achieve positive results in conformity with the security interests of all States;

2. *Calls upon* all European States as well as all interested States to do their utmost in order to assist the process of negotiation and promote its successful conclusion;

3. *Calls upon* all States to do their utmost in order to bring the arms race to a halt and to proceed to disarmament, and first of all to nuclear disarmament, as well as to contribute to the relaxation of international tension and to the resumption of the policy of détente, co-operation and respect for the national independence of all peoples;

<sup>68</sup> Resolution S-10/2.

<sup>69</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), sect. III.E.*

<sup>70</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Dis-

armament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), para. 21*).

4. *Requests* the Secretary-General to make the necessary arrangements to transmit the content of the present appeal to the Governments of all States.

*103rd plenary meeting  
20 December 1983*

## B

### NON-USE OF NUCLEAR WEAPONS AND PREVENTION OF NUCLEAR WAR

*The General Assembly,*

*Alarmed* by the threat to the survival of mankind posed by the existence of nuclear weapons and the continuing arms race,

*Recalling* that, in accordance with the Final Document of the Tenth Special Session of the General Assembly,<sup>68</sup> the first special session devoted to disarmament, effective measures of nuclear disarmament and the prevention of nuclear war have the highest priority,

*Recalling also* that this commitment was reaffirmed by the General Assembly at its twelfth special session, the second special session devoted to disarmament,

*Bearing in mind* its resolutions 36/81 B, 36/92 I and 36/100 of 9 December 1981 and 37/78 J of 9 December 1982,

*Reaffirming* that the most effective guarantee against the danger of nuclear war and the use of nuclear weapons is nuclear disarmament and the complete elimination of nuclear weapons,

*Recalling also* paragraph 58 of the Final Document of the Tenth Special Session, in which it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and which would preclude the use or threat of use of nuclear weapons,

*Reaffirming also* that the nuclear-weapon States have special responsibilities to undertake measures aimed at preventing the outbreak of nuclear war,

1. *Considers* that the solemn declarations by two nuclear-weapon States made or reiterated at the twelfth special session of the General Assembly, the second special session devoted to disarmament, concerning their respective obligations not to be the first to use nuclear weapons offer an important avenue to decrease the danger of nuclear war;

2. *Expresses the hope* that those nuclear-weapon States which have not yet done so would consider making similar declarations with respect to not being the first to use nuclear weapons.

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20 December 1983*

## C

### PROHIBITION OF THE NUCLEAR NEUTRON WEAPON

*The General Assembly,*

*Recalling* paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly,<sup>68</sup> in which it is stated that the achievement of nuclear disarmament will require urgent negotiation of agreements, *inter*

*alia*, for the cessation of the qualitative improvement and development of nuclear-weapon systems, which is especially emphasized in paragraph 50 (a) of that Document,

*Stressing* that the nuclear neutron weapon represents a further step in the qualitative arms race in the field of nuclear weapons.

*Reaffirming* its resolutions 36/92 K of 9 December 1981 and 37/78 E of 9 December 1982,

*Sharing* the world-wide concern expressed by Member States, as well as by non-governmental organizations, about the continued and expanded production and introduction of the nuclear neutron weapon in military arsenals, which escalates the nuclear-arms race and significantly lowers the threshold of nuclear war,

*Aware* of the inhuman effects of that weapon, which constitutes a grave threat, particularly to the unprotected civilian population,

*Noting* the consideration by the Committee on Disarmament at its session in 1983 of issues connected with the cessation of the nuclear-arms race and nuclear disarmament, as well as the prohibition of the nuclear neutron weapon,<sup>71</sup>

*Regretting* that the Committee on Disarmament was not able to reach agreement on the commencement of negotiations on the cessation of the nuclear-arms race and on nuclear disarmament or on the prohibition of the nuclear neutron weapon in an appropriate organizational framework,

1. *Reaffirms its request* to the Conference on Disarmament<sup>70</sup> to start without delay negotiations within an appropriate organizational framework with a view to concluding a convention on the prohibition of the development, production, stockpiling, deployment and use of nuclear neutron weapons as an organic element of negotiations, as envisaged in paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly;

2. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this question by the General Assembly at its thirty-eighth session;

3. *Requests* the Conference on Disarmament to submit a report on this question to the General Assembly at its thirty-ninth session;

4. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Prohibition of the nuclear neutron weapon".

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20 December 1983*

## D

### NUCLEAR WEAPONS IN ALL ASPECTS

*The General Assembly,*

*Recalling* that at its twelfth special session, the second special session devoted to disarmament, it expressed its profound preoccupation over the danger of war, in particular nuclear war, the prevention of which remains the most acute and urgent task of the present day,<sup>72</sup>

*Reaffirming once again* that nuclear weapons pose the most serious threat to mankind and its survival and that it is therefore essential to proceed with nuclear disarmament and the complete elimination of nuclear weapons,

<sup>71</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), sect. III.B.*

<sup>72</sup> *Ibid.*, *Twelfth Special Session, Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 62.*

*Reaffirming also* that all nuclear-weapon States, in particular those which possess the most important nuclear arsenals, bear a special responsibility for the fulfilment of the task of achieving the goals of nuclear disarmament,

*Stressing again* that existing arsenals of nuclear weapons alone are more than sufficient to destroy all life on Earth, and bearing in mind the devastating results which nuclear war would have on belligerents and non-belligerents alike,

*Recalling* that at its tenth special session, the first special session devoted to disarmament, it decided that effective measures of nuclear disarmament and the prevention of nuclear war had the highest priority and that it was essential to halt and reverse the nuclear-arms race in all its aspects in order to avert the danger of war involving nuclear weapons,<sup>73</sup>

*Stressing* that any expectation of winning a nuclear war is senseless and that such a war would inevitably lead to the destruction of nations, to enormous devastation and to catastrophic consequences for civilization and life itself on Earth,

*Recalling further* that, in its resolution 35/152 B of 12 December 1980, it noted with alarm the increased risk of a nuclear catastrophe associated both with the intensification of the nuclear-arms race and with the adoption of the new doctrines of limited or partial use of nuclear weapons, which are incompatible with its resolution 110 (II) of 3 November 1947, entitled "Measures to be taken against propaganda and the inciters of a new war", and give rise to illusions of the admissibility and acceptability of a nuclear conflict,

*Noting with alarm* that to the doctrine of a limited nuclear war was later added the concept of a protracted nuclear war and that these dangerous doctrines lead to a new twist in the spiral of the arms race, which may seriously hamper the reaching of agreement on nuclear disarmament,

*Gravely concerned* about the renewed escalation of the nuclear-arms race, in both its quantitative and qualitative dimensions, as well as reliance on the doctrine of nuclear deterrence, which in fact is heightening the risk of the outbreak of nuclear war and leads to increased tensions and instability in international relations,

*Taking note* of the relevant deliberations of the Disarmament Commission in 1983 with regard to item 4 of its agenda, as contained in its report,<sup>74</sup>

*Stressing* the urgent need for the cessation of the development and deployment of new types and systems of nuclear weapons as a step on the road to nuclear disarmament,

*Stressing again* that priority in disarmament negotiations should be given to nuclear weapons and referring to paragraphs 49 and 54 of the Final Document of the Tenth Special Session of the General Assembly,<sup>68</sup>

*Recalling* its resolutions 33/71 H of 14 December 1978, 34/83 J of 11 December 1979, 35/152 B and C of 12 December 1980, 36/92 E of 9 December 1981 and 37/78 C of 9 December 1982,

*Noting* that the Committee on Disarmament, at its session held in 1983, discussed the question of the cessation of the nuclear-arms race and nuclear disarmament and, in particular, the establishment of an *ad hoc* working group for negotiations on that question,

*Regretting*, however, that the Committee on Disarmament was unable to reach agreement on the establishment of an *ad hoc* working group for the purpose of undertaking

multilateral negotiations on the question of the cessation of the nuclear-arms race and nuclear disarmament,

*Considering* that efforts will continue to be made in order to enable the Conference on Disarmament<sup>70</sup> to fulfil its negotiating role with regard to the cessation of the nuclear-arms race and nuclear disarmament, bearing in mind the high priority accorded to this question in the Final Document of the Tenth Special Session,

*Convinced* that the Conference on Disarmament is the most suitable forum for the preparation and conduct of negotiations on nuclear disarmament,

1. *Calls upon* the Conference on Disarmament to proceed without delay to negotiations on the cessation of the nuclear-arms race and nuclear disarmament in accordance with paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly and especially to elaborate a nuclear-disarmament programme, and to establish for this purpose an *ad hoc* working group on the cessation of the nuclear-arms race and on nuclear disarmament;

2. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Cessation of the nuclear-arms race and nuclear disarmament: report of the Conference on Disarmament".

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## E

### REPORT OF THE DISARMAMENT COMMISSION

*The General Assembly,*

*Having considered* the report of the Disarmament Commission,<sup>75</sup>

*Emphasizing again* the importance of an effective follow-up to the relevant recommendations and decisions contained in the Final Document of the Tenth Special Session of the General Assembly,<sup>68</sup> the first special session devoted to disarmament,

*Taking into account* the relevant sections of the Concluding Document of the Twelfth Special Session of the General Assembly,<sup>76</sup> the second special session devoted to disarmament,

*Considering* the important role that the Disarmament Commission has played and the significant contribution that it has made in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions of the tenth special session,

*Desirous* of strengthening the effectiveness of the Disarmament Commission as the deliberative body in the field of disarmament,

*Recalling* its resolutions 33/71 H of 14 December 1978, 34/83 H of 11 December 1979, 35/152 F of 12 December 1980, 36/92 B of 9 December 1981 and 37/78 H of 9 December 1982,

1. *Takes note* of the report of the Disarmament Commission;

2. *Notes* that the Disarmament Commission has yet to conclude its consideration of some items on its agenda;

3. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special

<sup>73</sup> Resolution S-10/2, para. 47.

<sup>74</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 42 (A/38/42), sect. III, D.

<sup>75</sup> *Ibid.*, Supplement No. 42 (A/38/42).

<sup>76</sup> *Ibid.*, Twelfth Special Session, Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32.



Session of the General Assembly, and with paragraph 3 of resolution 37/78 H, and to that end to make every effort to achieve specific recommendations, at its 1984 substantive session, on the outstanding items on its agenda, taking into account the relevant resolutions of the General Assembly as well as the results of its 1983 session;

4. *Requests* the Disarmament Commission to meet for a period not exceeding four weeks during 1984 and to submit a substantive report, containing specific recommendations on the items inscribed on its agenda, to the General Assembly at its thirty-ninth session;

5. *Requests* the Secretary-General to transmit to the Disarmament Commission the report of the Committee on Disarmament on the work of its 1983 session,<sup>77</sup> together with all the official records of the thirty-eighth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the Disarmament Commission".

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## F

### INTERNATIONAL CO-OPERATION FOR DISARMAMENT

#### *The General Assembly,*

*Stressing again* the urgent need for an active and sustained effort to intensify the implementation of the recommendations and decisions unanimously adopted at its tenth special session, the first special session devoted to disarmament, as contained in the Final Document of that session<sup>68</sup> and confirmed in the Concluding Document of the Twelfth Special Session of the General Assembly,<sup>76</sup> the second special session devoted to disarmament,

*Recalling* the Declaration on International Co-operation for Disarmament of 11 December 1979<sup>78</sup> and General Assembly resolutions 36/92 D of 9 December 1981 and 37/78 B of 9 December 1982,

*Deeply concerned* over the growing danger of nuclear war, the continued arms race and the danger of a further, qualitatively new round of the arms race, all of which will have a very negative impact on the international situation,

*Stressing* the vital importance of eliminating the danger of nuclear war, halting the nuclear-arms race and attaining disarmament, particularly in the nuclear field, for the preservation of peace and the strengthening of international security,

*Bearing in mind* the vital interest of all nations in the attainment of effective disarmament measures, which would release considerable financial and material resources to be used for the economic and social development of all States, in particular developing countries,

*Considering* the increased activity of peace and anti-war movements against the arms race and the escalation of the danger of nuclear war,

*Convinced* of the need to strengthen constructive international co-operation based on the political goodwill of States for successful negotiations on disarmament, in

accordance with the Final Document of the Tenth Special Session.

*Emphasizing* the duty of States to co-operate for the preservation of international peace and security, in accordance with the Charter of the United Nations, as confirmed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, of 24 October 1970,<sup>79</sup> the obligation to co-operate actively and constructively for the attainment of the aims of disarmament being an indispensable part of that duty,

*Expressing the conviction* that concrete manifestations of political goodwill, including unilateral measures, such as an obligation not to make first use of nuclear weapons, improve conditions for resolving disarmament issues in a spirit of co-operation among States,

*Stressing* that proposals, relatively simple in their execution and at the same time effective, such as the proposals aimed at eliminating the use of force, be it on a world-wide or regional scale, contribute considerably to that end,

*Bearing in mind* that the United Nations bears primary responsibility and plays a central role in unifying efforts to maintain and to develop active co-operation among States in order to resolve the issues of disarmament,

1. *Calls upon* all States, in implementing the Final Document of the Tenth Special Session of the General Assembly, to make active use of the principles and ideas contained in the Declaration on International Co-operation for Disarmament by actively participating in disarmament negotiations, with a view to achieving concrete results, and by conducting them on the basis of equality and undiminished security and the non-use of force in international relations, and to refrain at the same time from developing new directions and channels of the arms race;

2. *Stresses* the importance of strengthening the effectiveness of the United Nations in fulfilling its responsibility for maintaining international peace and security in accordance with the Charter of the United Nations;

3. *Declares* in this context that the elaboration and dissemination of any doctrines and concepts justifying the unleashing of nuclear war endanger world peace, lead to deterioration of the international situation and further intensification of the arms race and are detrimental to the generally recognized necessity of international co-operation for disarmament;

4. *Declares* that the use of force in international relations as well as in attempts to prevent the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>80</sup> is a phenomenon incompatible with the ideas of international co-operation for disarmament;

5. *Appeals* to States which are members of military groupings to promote, on the basis of the Final Document of the Tenth Special Session, in the spirit of international co-operation for disarmament, the gradual mutual limitation of military activities of these groupings, thus creating conditions for their dissolution;

6. *Calls upon* all Member States to cultivate and disseminate, particularly in connection with the World Disarmament Campaign launched by the General Assembly at its twelfth special session,<sup>81</sup> the ideas of international co-operation for disarmament, *inter alia*, through their educational systems, mass media and cultural policies;

<sup>77</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 27 (A/38/27).

<sup>78</sup> Resolution 34/88.

<sup>79</sup> Resolution 2625 (XXV), annex.

<sup>80</sup> Resolution 1514 (XV).

<sup>81</sup> *Official Records of the General Assembly, Twelfth Special Session, Annex*, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, annex V.

7. *Calls upon* the United Nations Educational, Scientific and Cultural Organization to continue to consider, in order further to mobilize world public opinion on behalf of disarmament, measures aimed at strengthening the ideas of international co-operation for disarmament through research, education, information, communication and culture;

8. *Calls upon* the Governments of all States to contribute substantially, while observing the principle of undiminished security, to halting and reversing the arms race, particularly in the nuclear field, and thus to reducing the danger of nuclear war.

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## G

### PREVENTION OF NUCLEAR WAR

*The General Assembly,*

*Alarmed* by the threat to the survival of mankind posed by the existence of nuclear weapons and the continuing arms race,

*Recalling* that removal of the threat of nuclear war is the most acute and urgent task of the present day,

*Reiterating* that it is the shared responsibility of all Member States to save succeeding generations from the scourge of another world war, which would inevitably be a nuclear war,

*Recalling* the provisions of paragraphs 47 to 50 and 56 to 58 of the Final Document of the Tenth Special Session of the General Assembly<sup>68</sup> regarding the procedures designed to secure the avoidance of nuclear war,

*Recalling also* its resolution 36/81 B of 9 December 1981 and, in particular, its resolution 37/78 I of 9 December 1982, in which it requested the Committee on Disarmament to undertake, as a matter of the highest priority, negotiations with a view to achieving agreement on appropriate and practical measures for the prevention of nuclear war,

*Having considered* the report of the Committee on Disarmament,<sup>77</sup>

*Noting with concern* that the Committee on Disarmament was not able to start negotiations on the question during its 1983 session,

*Taking into account* the deliberations on this item at its thirty-eighth session,

*Convinced* that the prevention of nuclear war and the reduction of the risks of nuclear war are matters of the highest priority and of vital interest to all the peoples of the world,

1. *Again requests* the Conference on Disarmament<sup>82</sup> to undertake, as a matter of the highest priority, negotiations with a view to achieving agreement on appropriate and practical measures for the prevention of nuclear war, taking into account the documents referred to in General Assembly resolution 37/78 I as well as other existing proposals and future initiatives;

2. *Further requests* the Conference on Disarmament to establish for that purpose an *ad hoc* working group on the subject at the beginning of its 1984 session;

3. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Prevention of nuclear war: report of the Conference on Disarmament".

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20 December 1983*

## H

### IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS OF THE TENTH SPECIAL SESSION

*The General Assembly,*

*Having reviewed* the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session,<sup>83</sup> the first special session devoted to disarmament, as well as the Concluding Document of the Twelfth Special Session of the General Assembly,<sup>76</sup> the second special session devoted to disarmament,

*Recalling* its resolutions S-10/2 of 30 June 1978, 34/83 C of 11 December 1979, 35/46 of 3 December 1980, 35/152 E of 12 December 1980, 36/92 M of 9 December 1981 and 37/78 F of 9 December 1982 and its decision S-12/24 of 10 July 1982,

*Deeply concerned* that no concrete results regarding the implementation of the recommendations and decisions of the tenth special session have been realized in the course of more than five years since that session, that in the meantime the arms race, particularly in its nuclear aspect, has gained in intensity, that urgent measures to prevent nuclear war and for disarmament have not been adopted and that continued colonial domination and foreign occupation, open threats, pressure and military intervention against independent States and violation of the fundamental principles of the Charter of the United Nations have taken place, posing the most serious threat to international peace and security,

*Convinced* that the renewed escalation of the nuclear-arms race, in both the quantitative and the qualitative dimensions, as well as reliance on doctrines of nuclear deterrence and of use of nuclear weapons, has heightened the risk of the outbreak of nuclear war and led to greater insecurity and instability in international relations,

*Further convinced* that international peace and security can only be ensured through general and complete disarmament under effective international control and that one of the most urgent tasks is to halt and reverse the arms race and to undertake concrete measures of disarmament, particularly nuclear disarmament, and that, in this respect, the nuclear-weapon States and other militarily significant States have the primary responsibility,

*Noting with great concern* that no real progress in disarmament negotiations has been achieved for several years, which has rendered the current international situation even more dangerous and insecure, and that negotiations on disarmament issues are lagging far behind the rapid technological development in the field of armaments and the relentless growth of military arsenals, particularly nuclear arsenals,

*Recalling* the commitment of States undertaken in various international agreements to negotiate on disarmament measures, in particular on nuclear disarmament,

*Considering* that it is more than ever imperative in the present circumstances to give a new impetus to negotia-

<sup>82</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).

<sup>83</sup> Resolution S-10/2.

tions in good faith on disarmament, in particular nuclear disarmament, at all levels and to achieve genuine progress in the immediate future.

*Convinced* that the success of disarmament negotiations, in which all the people of the world have a vital interest, can be achieved through the active participation of Member States in such negotiations, contributing thereby to the maintenance of international peace and security.

*Reaffirming* that the United Nations has a central role and primary responsibility in the sphere of disarmament.

*Stressing* that the Final Document of the Tenth Special Session of the General Assembly,<sup>83</sup> which was unanimously and categorically reaffirmed by all Member States at the twelfth special session as the comprehensive basis for efforts towards halting and reversing the arms race, has retained all its validity and that the objectives and measures contained therein still represent one of the most important and urgent goals to be achieved.

1. *Expresses its grave concern* over the acceleration and intensification of the arms race, particularly the nuclear-arms race, as well as the new, very serious deterioration of relations in the world, and the intensification of focal points of aggression and hotbeds of tension in different regions of the world, which threaten international peace and security and increase the danger of outbreak of nuclear war;

2. *Calls upon* all States, in particular nuclear-weapon States and other militarily significant States, to take urgent measures in order to put an end to the serious aggravation of the international situation, to promote international security on the basis of disarmament, to halt and reverse the arms race and to launch a process of genuine disarmament;

3. *Invites* all States, particularly nuclear-weapon States and especially those among them which possess the most important nuclear arsenals, to take urgent measures with a view to implementing the recommendations and decisions contained in the Final Document of the Tenth Special Session of the General Assembly, as well as to fulfilling the priority tasks set forth in the Programme of Action contained in section III of the Final Document;

4. *Calls upon* all States to refrain from any actions which have or may have negative effects on the outcome of disarmament negotiations;

5. *Once again calls upon* the Conference on Disarmament<sup>82</sup> to concentrate its work on the substantive and priority items on its agenda, to proceed to negotiations on nuclear disarmament and on the prevention of nuclear war without further delay and to elaborate drafts of treaties on a nuclear-weapon test ban and on a complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction;

6. *Calls upon* the Disarmament Commission to intensify its work in accordance with its mandate and to continue improving its work with a view to making concrete recommendations on specific items on its agenda;

7. *Calls upon* nuclear-weapon States engaged in separate negotiations on issues of nuclear disarmament to exert the utmost effort with a view to achieving concrete results in those negotiations and thus contribute to the success of multilateral negotiations on nuclear disarmament;

8. *Invites* all States engaged in disarmament and arms limitation negotiations outside the framework of the United Nations to keep the General Assembly and the Conference on Disarmament informed on the status or results of such negotiations, in conformity with the rele-

vant provisions of the Final Document of the Tenth Special Session:

9. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Implementation of the recommendations and decisions of the tenth special session".

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## I

### REPORT OF THE COMMITTEE ON DISARMAMENT

*The General Assembly,*

*Recalling* its resolutions 34/83 B of 11 December 1979, 35/152 J of 12 December 1980, 36/92 F of 9 December 1981 and 37/78 G of 9 December 1982,

*Recalling also* the Final Document of the Tenth Special Session of the General Assembly,<sup>83</sup> the first special session devoted to disarmament, and the Concluding Document of the Twelfth Special Session of the General Assembly,<sup>76</sup> the second special session devoted to disarmament.

*Having considered* the report of the Committee on Disarmament,<sup>84</sup>

*Convinced* that the Conference on Disarmament,<sup>82</sup> as the single multilateral negotiating body on disarmament, should play the central role in substantive negotiations on priority questions of disarmament and on the implementation of the Programme of Action set forth in section III of the Final Document of the Tenth Special Session,

*Reaffirming* that the establishment of *ad hoc* working groups offers the best available machinery for the conduct of multilateral negotiations on items on the agenda of the Conference on Disarmament and contributes to the strengthening of the negotiating role of the Conference,

*Deploring* the fact that, despite repeated requests by the General Assembly and the express wish of the great majority of members of the Committee on Disarmament, the establishment of an *ad hoc* working group to undertake multilateral negotiations on the cessation of the nuclear-arms race and on nuclear disarmament was once again prevented during the session of the Committee in 1983.

*Regretting* that the Committee on Disarmament has also not been enabled to set up *ad hoc* working groups for negotiations on the prevention of nuclear war and on the prevention of the arms race in outer space, nor to entrust its *Ad Hoc Working Group* under item 1 of its agenda, entitled "Nuclear-test ban", with a new mandate enabling it to undertake substantive negotiations on this question as soon as possible.

*Stressing* that negotiations on specific disarmament issues conducted outside the Conference on Disarmament should in no way serve as a pretext for preventing the conduct of multilateral negotiations on such questions in the Conference.

1. *Expresses its deep concern and disappointment* that the Committee on Disarmament has not been enabled, this year either, to reach concrete agreements on disarmament issues to which the United Nations has assigned greatest priority and urgency and which have been under consideration for a number of years;

2. *Requests* the Conference on Disarmament to intensify its work, so as to make the utmost effort to achieve

<sup>84</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27).

concrete results in the shortest possible period of time on the specific priority issues of disarmament on its agenda;

3. *Once again urges* the Conference on Disarmament to continue or to undertake, during its session to be held in 1984, substantive negotiations on the priority questions of disarmament on its agenda, in accordance with the provisions of the Final Document of the Tenth Special Session of the General Assembly and other relevant resolutions of the Assembly on those questions, and, in order to reach that goal, to provide the existing *ad hoc* working groups with appropriate negotiating mandates and to establish, as a matter of urgency, the *ad hoc* working groups on the cessation of the nuclear-arms race and nuclear disarmament, on the prevention of nuclear war and on the prevention of an arms race in outer space;

4. *Urges* the Conference on Disarmament to undertake, without further delay, the elaboration of a draft international treaty on a nuclear-weapon test ban and to submit a progress report to the General Assembly at its thirty-ninth session;

5. *Also urges* the Conference on Disarmament to accelerate its work on the elaboration of a draft international convention on the complete and effective prohibition of all chemical weapons and on their destruction and to submit the preliminary draft of such a convention to the General Assembly at its thirty-ninth session;

6. *Calls upon* the Conference on Disarmament to organize its work in such a way as to concentrate most of its attention and time on substantive negotiations on priority issues of disarmament;

7. *Calls upon* the members of the Conference on Disarmament that have opposed the negotiation on some substantive issues of disarmament to enable the Conference, by adopting a positive stand, to fulfil effectively the mandate that the international community has entrusted to it in the field of negotiations on disarmament;

8. *Invites* the members of the Conference on Disarmament involved in separate negotiations on specific priority questions of disarmament to intensify their efforts in order to achieve a positive conclusion of those negotiations without further delay and to submit to the Conference a full report on their separate negotiations and the results achieved in order to contribute most directly to the negotiations in the Conference, in accordance with paragraph 3 above;

9. *Requests* the Conference on Disarmament to submit a report on its work to the General Assembly at its thirty-ninth session;

10. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the Conference on Disarmament".

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## J

### UNILATERAL NUCLEAR DISARMAMENT MEASURES

*The General Assembly,*

*Having examined* the various concrete proposals submitted to the Disarmament Commission at its 1983 ses-

<sup>85</sup> *Ibid.*, Supplement No. 42 (A/38/42), annexes.

<sup>86</sup> *Ibid.*, annex VI.

<sup>87</sup> Subsequently referred to as the Group of Governmental Experts on Unilateral Nuclear Disarmament Measures.

sion and reproduced by the Commission in its report to the General Assembly.<sup>85</sup>

*Considering* that one of these proposals,<sup>86</sup> intended to expedite negotiations on nuclear disarmament through the preparation of a study on unilateral measures, would be of particular value at present in view of the impasse existing in both the bilateral and the multilateral negotiations,

*Requests* the Secretary-General to prepare, with the assistance of qualified governmental experts<sup>87</sup> and applying the methods customary in these cases, a report, to be submitted to the General Assembly at its thirty-ninth session, on ways and means that seem advisable for stimulating the adoption of unilateral nuclear disarmament measures which, without prejudice to the security of States, would come to promote and complement bilateral and multilateral negotiations in this sphere.

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## K

### COMPREHENSIVE PROGRAMME OF DISARMAMENT

*The General Assembly,*

*Having examined* the report of the *Ad Hoc* Working Group on the Comprehensive Programme of Disarmament, which is an integral part of the report of the Committee on Disarmament on its 1983 session,<sup>88</sup>

*Welcoming* the progress achieved in the preparation of the programme during the period covered by the report,

*Noting*, however, that it has not yet been possible to complete the elaboration of a comprehensive programme which, as provided for in paragraph 109 of the Final Document of the Tenth Special Session of the General Assembly,<sup>83</sup> should encompass all measures thought to be advisable in order to ensure that the goal of general and complete disarmament under effective international control becomes a reality in a world in which international peace and security prevail and in which the new international economic order is strengthened and consolidated,

1. *Urges* the Conference on Disarmament,<sup>82</sup> as soon as it considers that the circumstances are propitious for that purpose, to renew its work on the elaboration of the comprehensive programme of disarmament previously requested, to submit to the General Assembly at its thirty-ninth session a progress report on the matter and to submit to the Assembly, not later than at its forty-first session, a complete draft of such a programme;

2. *Decides* to consider at its thirty-ninth session, in the light of the above-mentioned progress report, the advisability of requesting the Disarmament Commission to examine the question further and to make appropriate recommendations to the General Assembly.

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<sup>88</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), para. 88.*

## L

## DISARMAMENT WEEK

*The General Assembly,*

*Gravely concerned* over the escalating arms race,

*Emphasizing* the urgent need for and the importance of wide and continued mobilization of world public opinion in support of halting and reversing the arms race, especially the nuclear-arms race in all its aspects,

*Mindful* of the world-wide mass anti-war and anti-nuclear movement,

*Noting with satisfaction* the broad and active support by Governments and international and national organizations of the decision taken by the General Assembly at its tenth special session, the first special session devoted to disarmament, regarding the proclamation of the week starting 24 October, the day of the foundation of the United Nations, as a week devoted to fostering the objectives of disarmament,<sup>89</sup>

*Recalling* the recommendations concerning the World Disarmament Campaign contained in annex V to the Concluding Document of the Twelfth Special Session of the General Assembly,<sup>90</sup> the second special session devoted to disarmament, in particular the recommendation that, in view of the fact that Disarmament Week has played a useful role in fostering the objectives of disarmament, the week starting 24 October should continue to be widely observed as Disarmament Week,<sup>91</sup>

*Recalling also* its resolutions 33/71 D of 14 December 1978, 34/83 I of 11 December 1979 and 37/78 D of 9 December 1982,

1. *Takes note with satisfaction* of the report of the Secretary-General<sup>92</sup> on the follow-up measures undertaken by governmental and non-governmental organizations in holding Disarmament Week;

2. *Expresses its appreciation* to all States and international and national governmental and non-governmental organizations for their energetic support of and active participation in Disarmament Week;

3. *Invites* all States, in carrying out appropriate measures at the local level on the occasion of Disarmament Week, to take into account the elements of the model programme for Disarmament Week, prepared by the Secretary-General;<sup>93</sup>

4. *Also invites* the relevant specialized agencies and the International Atomic Energy Agency to intensify activities, within their areas of competence, to disseminate information on the consequences of the arms race and requests them to inform the Secretary-General accordingly;

5. *Requests* Governments, in accordance with General Assembly resolution 33/71 D, to inform the Secretary-General of activities undertaken to promote the objectives of Disarmament Week;

6. *Invites* international non-governmental organizations to take an active part in Disarmament Week and to inform the Secretary-General of the activities undertaken;

7. *Requests* the Secretary-General, in accordance with paragraph 4 of resolution 33/71 D, to submit to the General Assembly at its thirty-ninth session a report contain-

ing the information referred to in paragraph 7 of resolution 37/78 D, as well as paragraphs 4 to 6 above.

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## M

## IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS OF THE TENTH SPECIAL SESSION

*The General Assembly,*

*Recalling* the provisions of the Final Document of the Tenth Special Session of the General Assembly,<sup>83</sup> the first special session devoted to disarmament, in particular the following:

(a) That nuclear weapons pose the greatest danger to mankind and to the survival of civilization,

(b) That it is essential to halt and reverse the nuclear-arms race in all its aspects in order to avert the danger of war involving nuclear weapons,

(c) That removing the threat of a world war—a nuclear war—is the most acute and urgent task of the present day,

(d) That while disarmament is the responsibility of all States, the nuclear-weapon States have the primary responsibility for nuclear disarmament,

(e) That the most effective guarantee against the danger of nuclear war and the use of nuclear weapons is nuclear disarmament and the complete elimination of nuclear weapons,

(f) That pending the achievement of this goal, the nuclear-weapon States have special responsibilities to undertake measures aimed at preventing the outbreak of nuclear war,

(g) That, in the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility,

*Deeply regretting* that the nuclear-arms race has not yet been halted and that the danger of nuclear war has been increasing,

*Gravely concerned* over the risks of nuclear war inherent in the present world situation,

1. *Solemnly reaffirms* the special responsibilities of the nuclear-weapon States for nuclear disarmament and for undertaking measures to prevent nuclear war and to halt the nuclear-arms race in all its aspects;

2. *Solemnly reaffirms* the vital interest of all the peoples of the world in the success of disarmament negotiations and the consequent duty of all States to contribute to efforts in the field of disarmament;

3. *Solemnly reaffirms* the central role and primary responsibility of the United Nations in the sphere of disarmament;

4. *Requests* the nuclear-weapon States to submit to the General Assembly annual reports on the measures and steps taken by them, jointly or individually, in the discharge of the special responsibilities incumbent upon them for the prevention of nuclear war and for halting and reversing the nuclear-arms race.

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<sup>89</sup> Resolution S-10/2, para. 102.

<sup>90</sup> *Official Records of the General Assembly, Twelfth Special Session Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32.*

<sup>91</sup> *Ibid.*, para. 12.

<sup>92</sup> A/38/144.

<sup>93</sup> A/34/436.

## N

## BILATERAL NUCLEAR-ARMS NEGOTIATIONS

*The General Assembly,*

Recalling that at its tenth special session, the first special session devoted to disarmament, it approved by consensus a Declaration, contained in section II of the Final Document of the Tenth Special Session of the General Assembly, in which, *inter alia*, it proclaimed that, in order effectively to discharge the central role and primary responsibility in the sphere of disarmament which belong to the United Nations in accordance with its Charter, the United Nations should be kept appropriately informed of all steps in this field, whether unilateral, bilateral, regional or multilateral, without prejudice to the progress of negotiations,<sup>94</sup>

Recalling also that at its twelfth special session, the second special session devoted to disarmament, Member States reiterated their solemn commitment to implement the Final Document of the Tenth Special Session, the validity of which received their unanimous and categorical reaffirmation,<sup>95</sup>

Noting that the Union of Soviet Socialist Republics and the United States of America have been continuing at Geneva the two series of bilateral nuclear-arms negotiations begun on 30 November 1981 and 29 June 1982 respectively,

Noting with satisfaction that the Union of Soviet Socialist Republics has already submitted the report<sup>96</sup> requested in General Assembly resolution 37/78 A of 9 December 1982,

Hoping that the other major nuclear-weapon State will find it possible to comply also with the request of the General Assembly before the closure of its thirty-eighth session,

Deploring that it has become evident that the bilateral negotiations have not yet produced the desired results,

1. Urges the Government of the Union of Soviet Socialist Republics and the Government of the United States of America to examine immediately, as a way out of the present impasse, the possibility of combining into a single forum the two series of negotiations which they have been carrying out and of broadening their scope so as to embrace also the "tactical" or "battlefield" nuclear weapons;

2. Reiterates its request to the two negotiating parties that they bear constantly in mind that not only their national interests but also the vital interests of all the peoples of the world are at stake in this question;

3. Requests both parties to keep the United Nations appropriately informed of progress achieved in their negotiations;

4. Decides to include in the provisional agenda of its thirty-ninth session the item entitled "Bilateral nuclear-arms negotiations".

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<sup>94</sup> Resolution S-10/2, para. 27.

<sup>95</sup> See *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda item 9, 10, 11, 12 and 13, document A/S-12/32, para. 62.

## O

## ADVISORY BOARD ON DISARMAMENT STUDIES

*The General Assembly,*

Recalling paragraph 124 of the Final Document of the Tenth Special Session of the General Assembly,<sup>83</sup>

Recalling further its resolution 37/99 K of 13 December 1982, by section III of which it requested the Secretary-General to revive the Advisory Board on Disarmament Studies,

1. Expresses its satisfaction that the Secretary-General has revived the Advisory Board on Disarmament Studies;

2. Takes note with appreciation of the report of the Secretary-General on the activities of the Advisory Board in 1983;<sup>97</sup>

3. Requests the Secretary-General to report annually to the General Assembly on the work of the Advisory Board.

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## P

## BILATERAL NUCLEAR-ARMS NEGOTIATIONS

*The General Assembly,*

Deeply regretting that, in their bilateral negotiations, which commenced at Geneva on 30 November 1981, the Union of Soviet Socialist Republics and the United States of America have so far been unable to achieve positive results,

Firmly convinced that an early agreement in those negotiations, in accordance with the principle of undiminished security at the lowest possible level of armaments and military forces, would have crucial importance for the strengthening of international peace and security,

Deeply concerned that a breakdown of the negotiations could impede efforts to strengthen international peace and security and to achieve progress towards disarmament,

Convinced that, through negotiations pursued in a spirit of flexibility and responsibility for the security interests of all States, it is possible to reach an agreement,

1. Urges the Government of the Union of Soviet Socialist Republics and the Government of the United States of America to continue, without pre-conditions, their bilateral negotiations at Geneva as long as is necessary in order to achieve positive results in accordance with the security interests of all States and the universal desire for progress towards disarmament;

2. Calls upon the Government of the Union of Soviet Socialist Republics and the Government of the United States of America to spare no effort in seeking the attainment of the final objective of the negotiations;

3. Invites the Governments of the two States mentioned above to work actively towards the enhancement of mutual trust, in order to create an atmosphere more conducive to disarmament agreements;

4. Expresses its firmest possible encouragement and support to the negotiating parties in their efforts to bring the negotiations to a successful conclusion.

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<sup>96</sup> A/38/562.

<sup>97</sup> A/38/467.

**38/184. Reduction of military budgets****A**

*The General Assembly.*

*Deeply concerned* about the ever-spiralling arms race and growing military expenditures, which constitute a heavy burden for the economies of all nations and have extremely harmful effects on world peace and security,

*Reaffirming once again* the provisions of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, according to which the gradual reduction of military budgets on a mutually agreed basis, for example in absolute figures or in terms of percentage, particularly by nuclear-weapon States and other militarily significant States, would contribute to curbing the arms race and would increase the possibilities for the reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries.<sup>98</sup>

*Recalling* that at its twelfth special session, the second special session devoted to disarmament, all Member States unanimously and categorically reaffirmed the validity of the Final Document of the Tenth Special Session, as well as their solemn commitment to it,<sup>99</sup>

*Recalling also* the Declaration of the 1980s as the Second United Nations Disarmament Decade,<sup>100</sup> in which it is provided that during this period renewed efforts should be made to reach agreement on the reduction of military expenditures and the reallocation of resources thus saved to economic and social development, especially for the benefit of developing countries,

*Recalling further* the provisions of its resolution 34/83 F of 11 December 1979, subsequently reaffirmed in its resolutions 35/142 A of 12 December 1980, 36/82 A of 9 December 1981 and 37/95 A of 13 December 1982, in which it considered that a new impetus should be given to the endeavours to achieve agreements to freeze, reduce or otherwise restrain, in a balanced manner, military expenditure, including adequate measures of verification satisfactory to all parties concerned,

*Aware* of the various proposals submitted by Member States and of the activities carried out so far within the framework of the United Nations in the field of the reduction of military budgets,

*Convinced* that identification and elaboration of the principles which should govern further actions of States in freezing and reducing military budgets could contribute to harmonizing the views of States and create confidence among them conducive to achieving international agreements on the reduction of military budgets,

*Considering* that the identification and elaboration of the principles which should govern further actions of States in freezing and reducing military budgets and the other current activities within the framework of the United Nations related to the question of the reduction of military budgets should be regarded as having the fundamental objective of reaching international agreements on the reduction of military expenditures,

*Taking note* of the report of the Disarmament Commission on the work accomplished during its session in 1983 on the question of the reduction of military budgets,<sup>101</sup>

1. *Declares once again its conviction* that it is possible to achieve international agreements on the reduction of military budgets without prejudice to the right of all States to undiminished security, self-defence and sovereignty;

2. *Reaffirms* that the human and material resources released through the reduction of military expenditures could be reallocated to economic and social development, particularly for the benefit of the developing countries;

3. *Calls upon* all Member States, in particular the most heavily armed States, to reinforce their readiness to cooperate in a constructive manner with a view to reaching agreements to freeze, reduce or otherwise restrain military expenditures;

4. *Appeals* to all States, in particular to the most heavily armed States, pending the conclusion of agreements on the reduction of military expenditures, to exercise self-restraint in their military expenditures with a view to reallocating the funds thus saved to economic and social development, particularly for the benefit of developing countries;

5. *Requests* the Disarmament Commission to continue, at its 1984 substantive session, the consideration of the item entitled "Reduction of military budgets", including consideration of the suggestions of the Chairman of the working group,<sup>102</sup> as well as other proposals and ideas on the subject-matter, with a view to further identifying and elaborating the principles which should govern further actions of States in the field of freezing and reduction of military expenditures, keeping in mind the possibility of embodying such principles in a suitable document at an appropriate stage;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Reduction of military budgets".

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**B**

*The General Assembly.*

*Deeply concerned* about the arms race and present tendencies to increase further the rate of growth of military expenditures, the deplorable waste of human and economic resources and the potentially harmful effects on world peace and security,

*Considering* that a gradual reduction of military expenditures on a mutually agreed basis would be a measure that would contribute to curbing the arms race and would increase the possibilities of reallocating resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries,

*Convinced* that such reductions could and should be carried out on a mutually agreed basis without detriment to the national security of any country,

*Reaffirming its conviction* that provisions for defining, reporting, comparing and verifying military expenditures will have to be basic elements of any international agreement to reduce such expenditures,

*Recalling* that an international system for the standardized reporting of military expenditures has been introduced in pursuance of General Assembly resolution 35/142 B of 12 December 1980, and that annual reports on

<sup>98</sup> Resolution S-10/2, para. 89.

<sup>99</sup> *Official Records of the General Assembly, Twelfth Special Session, Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 62.*

<sup>100</sup> Resolution 35/46, annex.

<sup>101</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 42 (A/38/42), para. 23.*

<sup>102</sup> *Ibid.*, Supplement No. 42 (A/38/42), annex XIII.

military expenditures are now being received from a number of Member States,

*Considering* that a wider participation in the reporting system of States from different geographic regions and representing different budgeting systems would promote its further refinement and would, by contributing to greater openness in military matters, increase confidence between States,

*Noting*, in this connection, the proposal to convene an international conference on military expenditures,

*Recalling* its resolution 37/95 B of 13 December 1982, in which it requested the Secretary-General, with the assistance of a group of qualified experts and with the voluntary co-operation of States, to undertake the task of constructing price indices and purchasing-power parities for the military expenditures of participating States,

*Considering* that a wide participation in this exercise is essential for achieving the most useful results possible,

*Noting* that in the progress report of the Secretary-General<sup>103</sup> the Group of Experts on the Reduction of Military Budgets established that a direct contact between its members and the voluntarily participating Member States is vital for the work of the Group,

*Emphasizing* that all the above-mentioned activities and initiatives, as well as other ongoing activities within the United Nations relating to the reduction of military budgets, should have the fundamental objective of facilitating future negotiations aimed at the conclusion of international agreements on the reduction of military expenditures,

1. *Takes note with appreciation* of the report of the Secretary-General<sup>104</sup> containing the replies received in 1983 from Member States in the framework of the above-mentioned reporting system and with the submitted data arranged by the Secretariat according to statistical practice, and of the report of the Secretary-General<sup>105</sup> containing views and suggestions of States on practical means of promoting the wider participation of States in the international system of standardized reporting of military expenditures;

2. *Stresses* the need to increase the number of reporting States with a view to the broadest possible participation of States from different geographic regions and representing different budgeting systems;

3. *Reiterates its recommendation* that all Member States should report annually, by 30 April, to the Secretary-General, using the reporting instrument, their military expenditures for the latest fiscal year for which data are available;

4. *Also takes note with appreciation* of the progress report of the Secretary-General<sup>103</sup> on the ongoing exercise undertaken in pursuance of paragraph 5 of General Assembly resolution 37/95 B;

5. *Reiterates its invitation* to all Member States to participate in the above-mentioned exercise;

6. *Requests* the Secretary-General to provide the Group of Experts on the Reduction of Military Budgets with sufficient financial and other resources to carry out its complex tasks as outlined in the progress report of the Secretary-General;

7. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Reduction of military budgets".

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### 38/185. Implementation of the Declaration of the Indian Ocean as a Zone of Peace

*The General Assembly,*

*Recalling* the Declaration of the Indian Ocean as a Zone of Peace, contained in its resolution 2832 (XXVI) of 16 December 1971, and recalling also its resolutions 2992 (XXVII) of 15 December 1972, 3080 (XXVIII) of 6 December 1973, 3259 A (XXIX) of 9 December 1974, 3468 (XXX) of 11 December 1975, 31/88 of 14 December 1976, 32/86 of 12 December 1977, S-10/2 of 30 June 1978, 33/68 of 14 December 1978, 34/80 A and B of 11 December 1979, 35/150 of 12 December 1980, 36/90 of 9 December 1981 and 37/96 of 13 December 1982, and other relevant resolutions,

*Recalling further* the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean,<sup>106</sup>

*Reaffirming its conviction* that concrete action for the achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace would be a substantial contribution to the strengthening of international peace and security,

*Recalling* its decision, taken at its thirty-fourth session in resolution 34/80 B, to convene a Conference on the Indian Ocean at Colombo during 1981,

*Recalling also* its decision to make every effort, in consideration of the political and security climate in the Indian Ocean area and progress made in the harmonization of views, to finalize, in accordance with its normal methods of work, all preparations for the Conference, including the dates for its convening,

*Recalling further* its decision, taken at the thirty-seventh session in resolution 37/96, concerning the consideration of the convening of the Conference not later than the first half of 1984,

*Recalling* the exchange of views in the *Ad Hoc* Committee on the Indian Ocean in 1983,

*Noting* the exchange of views on the adverse political and security climate in the region,

*Noting further* the various documents before the *Ad Hoc* Committee,

*Convinced* that the continued military presence of the great Powers in the Indian Ocean area, conceived in the context of their confrontation, gives urgency to the need to take practical steps for the early achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace,

*Considering* that any other foreign military presence in the area, whenever it is contrary to the objectives of the Declaration of the Indian Ocean as a Zone of Peace and the purposes and principles of the Charter of the United Nations, gives greater urgency to the need to take practical steps towards the early achievement of the objectives of the Declaration,

*Considering also* that the creation of a zone of peace in the Indian Ocean requires the active participation of and full co-operation among the littoral and hinterland States, the permanent members of the Security Council and the

<sup>103</sup> A/38/354 and Corr.1.

<sup>104</sup> A/38/434.

<sup>105</sup> A/38/353 and Corr.1 and Add.1.

<sup>106</sup> *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 45 (A/34/45 and Corr.1).*



major maritime users to ensure conditions of peace and security based on the purposes and principles of the Charter, as well as on the general principles of international law,

*Considering further* that the creation of a zone of peace requires co-operation and agreement among the States of the region to ensure conditions of peace and security within the area, as envisaged in the Declaration of the Indian Ocean as a Zone of Peace, and respect for the independence, sovereignty and territorial integrity of the littoral and hinterland States,

*Calling for* the renewal of genuinely constructive efforts through the exercise of the political will necessary for the achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace,

*Deeply concerned* at the danger posed by the grave and ominous developments in the area and the resulting sharp deterioration of peace, security and stability which particularly seriously affect the littoral and hinterland States, as well as international peace and security,

*Convinced* that the continued deterioration of the political and security climate in the Indian Ocean area is an important consideration bearing on the question of the urgent convening of the Conference and that the easing of tension in the area would enhance the prospect of success being achieved by the Conference,

1. *Takes note* of the report of the *Ad Hoc* Committee on the Indian Ocean<sup>107</sup> and the exchange of views in the Committee;

2. *Regrets* that the *Ad Hoc* Committee has failed to reach consensus on the finalization of dates for the convening, during 1984, of the Conference on the Indian Ocean;

3. *Emphasizes* its decision to convene the Conference at Colombo as a necessary step for the implementation of the Declaration of the Indian Ocean as a Zone of Peace, adopted in 1971;

4. *Takes note* of the work of the *Ad Hoc* Committee during 1983;

5. *Requests* the *Ad Hoc* Committee to make decisive efforts in 1984 to complete preparatory work relating to the Conference on the Indian Ocean, in consideration of the political and security climate in the region and with a view to enabling the opening of the Conference at Colombo in the first half of 1985, it being understood that such preparatory work would comprise organizational matters, including the provisional agenda for the Conference, rules of procedure, documentation and consideration of appropriate arrangements for any international agreement that may ultimately be reached for the maintenance of the Indian Ocean as a zone of peace, and substantive issues;

6. *Requests* the *Ad Hoc* Committee at the same time to make determined efforts in 1984 for the necessary harmonization of views on the remaining relevant issues;

7. *Renews* the mandate of the *Ad Hoc* Committee as defined in the relevant resolutions and requests the Committee to intensify its work with regard to the implementation of its mandate;

8. *Requests* the *Ad Hoc* Committee to hold three further sessions in 1984 of a duration of two weeks each, with the possibility of holding a fourth session to be considered as required;

9. *Requests* the Chairman of the *Ad Hoc* Committee to continue his consultations on the participation in the work

of the Committee by States Members of the United Nations which are not members of the Committee, with the aim of resolving this matter at the earliest possible date;

10. *Requests* the *Ad Hoc* Committee to submit to the General Assembly at its thirty-ninth session a full report on the implementation of the present resolution;

11. *Requests* the Secretary-General to continue to render all necessary assistance to the *Ad Hoc* Committee, including the provision of summary records.

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### 38/186. World Disarmament Conference

*The General Assembly,*

*Recalling* its resolutions 2833 (XXVI) of 16 December 1971, 2930 (XXVII) of 29 November 1972, 3183 (XXVIII) of 18 December 1973, 3260 (XXIX) of 9 December 1974, 3469 (XXX) of 11 December 1975, 31/190 of 21 December 1976, 32/89 of 12 December 1977, 33/69 of 14 December 1978, 34/81 of 11 December 1979, 35/151 of 12 December 1980, 36/91 of 9 December 1981 and 37/97 of 13 December 1982,

*Reiterating its conviction* that all the peoples of the world have a vital interest in the success of disarmament negotiations and that all States should be in a position to contribute to the adoption of measures for the achievement of this goal,

*Stressing anew its conviction* that a world disarmament conference, adequately prepared and convened at an appropriate time, could provide the realization of such an aim and that the co-operation of all nuclear-weapon Powers would considerably facilitate its attainment,

*Taking note* of the report of the *Ad Hoc* Committee on the World Disarmament Conference,<sup>108</sup>

*Recalling* that, in paragraph 122 of the Final Document of the Tenth Special Session of the General Assembly,<sup>109</sup> it decided that, at the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation,

*Recalling also* that, in paragraph 23 of the Declaration of the 1980s as the Second Disarmament Decade,<sup>110</sup> the General Assembly considered it pertinent also to recall that in paragraph 122 of the Final Document of the Tenth Special Session it had stated that at the earliest appropriate time a world disarmament conference should be convened, with universal participation and with adequate preparation,

1. *Notes with satisfaction* that in its report to the General Assembly the *Ad Hoc* Committee on the World Disarmament Conference stated, *inter alia*, the following:

“Having regard for the important requirements of a world disarmament conference to be convened at the earliest appropriate time, with universal participation and with adequate preparation, the General Assembly should take up the question at its thirty-eighth regular session for further consideration, bearing in mind the relevant provisions of resolution 36/91, adopted by consensus, in particular paragraph 1 of that resolution, and resolution 37/97, also adopted by consensus”;<sup>111</sup>

2. *Renews* the mandate of the *Ad Hoc* Committee;

3. *Requests* the *Ad Hoc* Committee to continue to maintain close contact with the representatives of the

<sup>107</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 29 (A/38/29).

<sup>108</sup> *Ibid.*, Supplement No. 28 (A/38/28).

<sup>109</sup> Resolution S-10/2.

<sup>110</sup> Resolution 35/46, annex.

<sup>111</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 28 (A/38/28)*, para. 14.

States possessing nuclear weapons, in order to remain currently informed of their attitudes, as well as with all other States, and to consider any relevant comments and observations which might be made to the Committee, especially having in mind paragraph 122 of the Final Document of the Tenth Special Session of the General Assembly;

4. *Requests* the *Ad Hoc* Committee to report to the General Assembly at its thirty-ninth session;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "World Disarmament Conference".

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### 38/187. Chemical and bacteriological (biological) weapons

#### A

#### PROHIBITION OF CHEMICAL AND BACTERIOLOGICAL WEAPONS

*The General Assembly,*

*Recalling* paragraph 75 of the Final Document of the Tenth Special Session of the General Assembly,<sup>109</sup> the first special session devoted to disarmament, which states that the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and their destruction represents one of the most urgent measures of disarmament,

*Referring* to the unanimous and categorical reaffirmation by all Member States at the twelfth special session of the General Assembly, the second special session devoted to disarmament, of the validity of the Final Document of the Tenth Special Session,<sup>112</sup>

*Convinced* of the need for the earliest conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, which would significantly contribute to general and complete disarmament under effective international control,

*Recalling* its resolutions 36/96 B of 9 December 1981 and 37/98 A of 13 December 1982,

*Expressing profound concern* at the intended production and deployment of binary chemical weapons,

*Taking into consideration* the decision by the Committee on Disarmament on the mandate for the *Ad Hoc* Working Group on Chemical Weapons, as well as the work of this Group during the session of the Committee on Disarmament in 1983,<sup>113</sup>

*Deeming it desirable* for States to refrain from taking any action that could delay or further complicate negotiations,

*Aware* that the qualitative improvement and development of chemical weapons complicate ongoing negotiations on the prohibition of chemical weapons,

*Taking note* of proposals on the creation of chemical-weapon-free zones aimed at facilitating the complete prohibition of chemical weapons,

1. *Reaffirms* the necessity of the speediest elaboration and conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction;

<sup>112</sup> See *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 62.

<sup>113</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 27*, para. 79.

<sup>114</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on

2. *Appeals* to all States to facilitate in every possible way the conclusion of such a convention;

3. *Urges* the Conference on Disarmament<sup>114</sup> to intensify the negotiations in the *Ad Hoc* Working Group on Chemical Weapons in fulfilment of its present mandate, to achieve accord on a chemical weapons convention at the earliest possible date and, for this purpose, to proceed immediately to drafting such a convention for submission to the General Assembly at its thirty-ninth session;

4. *Reaffirms its call* to all States to refrain from any action that could impede negotiations on the prohibition of chemical weapons and specifically to refrain from the production and deployment of binary and other new types of chemical weapons, as well as from stationing chemical weapons on the territory of other States.

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#### B

#### CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

*The General Assembly,*

*Recalling* its previous resolutions relating to the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and to their destruction,

*Reaffirming* the necessity of strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,<sup>115</sup> and of the adherence by all States to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed in London, Moscow and Washington on 10 April 1972,<sup>116</sup>

*Having considered* the report of the Committee on Disarmament, which includes, *inter alia*, the report of its *Ad Hoc* Working Group on Chemical Weapons,<sup>113</sup>

*Considering it necessary* that all efforts be exerted for the resumption and successful conclusion of negotiations on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction,

1. *Takes note* of the work of the Committee on Disarmament during its session in 1983 regarding the prohibition of chemical weapons and, in particular, appreciates the work of its *Ad Hoc* Working Group on Chemical Weapons and the progress achieved therein;

2. *Expresses its regret* that an agreement on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction has not yet been elaborated;

3. *Urges* the Conference on Disarmament,<sup>114</sup> as a matter of high priority, to intensify, during its session in 1984, the negotiations on a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, taking into account all existing proposals and future initiatives with a view to the final elaboration of a convention at the earliest

Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).

<sup>115</sup> League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138, p. 65.

<sup>116</sup> Resolution 2826 (XXVI), annex.

possible date, and to re-establish its *Ad Hoc* Working Group on Chemical Weapons for this purpose;

4. *Requests* the Conference on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-ninth session.

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### C

#### CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

*The General Assembly,*

*Recalling* the provisions of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,<sup>115</sup>

*Recalling also* its resolution 37/98 D of 13 December 1982,

1. *Takes note* of the report submitted by the Secretary-General on the implementation of resolution 37/98 D;<sup>117</sup>
2. *Requests* the Secretary-General to pursue his action to this end and, in particular, to complete during 1984, with the assistance of the Group of Consultant Experts established by him, the task entrusted to him under the terms of paragraph 7 of resolution 37/98 D and to submit his report on the work of the Group;
3. *Requests* the Secretary-General to keep the General Assembly regularly informed on the implementation of resolution 37/98 D.

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#### 38/188. General and complete disarmament

### A

#### STUDY ON CONVENTIONAL DISARMAMENT

*The General Assembly,*

*Recalling* its previous resolutions in which, *inter alia*, it approved the carrying out of a study on all aspects of the conventional arms race and on disarmament relating to conventional weapons and armed forces, to be undertaken by the Secretary-General with the assistance of a group of qualified experts appointed by him on a balanced geographical basis,

*Recalling* the discussions at the 1981 and 1982 substantive sessions of the Disarmament Commission on the general approach to the study and its structure and scope, which resulted in the establishment of agreed guidelines for the study,

1. *Takes note* of the report of the Secretary-General<sup>118</sup> to which is annexed a letter from the Chairman of the Group of Experts on All Aspects of the Conventional Arms Race and on Disarmament relating to Conventional Weapons and Armed Forces informing the Secretary-General that, owing to the very wide area embraced by the study and the sensitivity and complexity of the

issues involved, the Group of Experts needs further time in order to complete its work;

2. *Requests* the Secretary-General to continue the study and to submit the final report to the General Assembly at its thirty-ninth session.

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### B

#### REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE PROHIBITION OF THE EMPLACEMENT OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION ON THE SEA-BED AND THE OCEAN FLOOR AND IN THE SUBSOIL THEREOF

*The General Assembly,*

*Recalling* its resolution 2660 (XXV) of 7 December 1970, in which it commended the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof,

*Convinced* that the Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race,

*Recalling* that the States parties to the Treaty met at Geneva from 12 to 23 September 1983 to review the operation of the Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty were being realized,

*Noting with satisfaction* that the Review Conference of the Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof concluded that the obligations assumed under the Treaty had been faithfully observed by the States parties,<sup>119</sup>

*Noting* that in its Final Declaration the Review Conference affirmed its belief that universal adherence to the Treaty would enhance international peace and security,<sup>119</sup>

*Noting furthermore* that the States parties to the Treaty reaffirmed their strong support for and continued dedication to the principles and objectives of the Treaty, as well as their commitment to implement effectively its provisions,

*Recognizing* that in the Final Declaration the States parties to the Treaty reaffirmed the commitment undertaken in article V to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof,

1. *Welcomes with satisfaction* the positive assessment by the Review Conference of the Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof of the effectiveness of the Treaty since its entry into force, as reflected in its Final Declaration;

2. *Reiterates* its expressed hope for the widest possible adherence to the Treaty;

3. *Affirms* its strong interest in avoiding an arms race in nuclear weapons or any other types of weapons of mass

<sup>117</sup> A/38/435.

<sup>118</sup> A/38/437.

<sup>119</sup> See *Second Review Conference of the Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof*, Final Document (SBT/CONF.II.20) (Geneva, 1983), Part II.

destruction on the sea-bed, the ocean floor or the subsoil thereof;

4. *Calls again upon* all States to refrain from any action which might lead to the extension of the arms race to the sea-bed and the ocean floor;

5. *Requests* the Conference on Disarmament,<sup>120</sup> in consultation with the States parties to the Treaty, taking into account existing proposals and any relevant technological developments, to proceed promptly with consideration of further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof;

6. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents of the thirty-eighth session of the General Assembly relevant to further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof;

7. *Requests* the Conference on Disarmament to report on its consideration of further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof to the General Assembly at its fortieth session.

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### C

#### MEASURES TO PROVIDE OBJECTIVE INFORMATION ON MILITARY CAPABILITIES

*The General Assembly,*

*Recalling* its resolution 37/99 G of 13 December 1982,

*Deeply concerned* about the continuing escalation of the arms race, in particular the nuclear-arms race, its extremely harmful effects on world peace and security and the deplorable waste of human and material resources for military purposes,

*Recalling* paragraph 105 of the Final Document of the Tenth Special Session of the General Assembly,<sup>121</sup> which encourages Member States to ensure a better flow of information with regard to the various aspects of disarmament to avoid dissemination of false and tendentious information concerning armaments and to concentrate on the danger of escalation of the arms race and on the need for general and complete disarmament under effective international control,

*Noting* that misperceptions of the military capabilities and the intentions of potential adversaries, which could be caused, *inter alia*, by the lack of objective information, could induce States to undertake armaments programmes leading to the acceleration of the arms race, in particular the nuclear-arms race, and to heightened international tensions,

*Aware* that objective information on the military capabilities, in particular among nuclear-weapon States and other militarily significant States, could contribute to the building of confidence among States and to the conclusion of concrete disarmament agreements and, thereby, help to halt and reverse the arms race,

1. *Takes note* of the report of the Secretary-General;<sup>122</sup>

<sup>120</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).

<sup>121</sup> Resolution S-10/2.

2. *Calls once more upon* all States, in particular nuclear-weapon States and other militarily significant States, to consider additional measures to facilitate the provision of objective information on, as well as objective assessments of, military capabilities;

3. *Invites* all States that have not communicated to the Secretary-General their views and proposals concerning such measures to do so as soon as possible, and those States that have already communicated such views and proposals to supplement them, as appropriate;

4. *Requests* the Secretary-General to ask the Advisory Board on Disarmament Studies to consider the modalities of studying the question of measures to facilitate objective information on, and objective assessments of, military capabilities, in particular among nuclear-weapon States and other militarily significant States;

5. *Further requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the provisions of the present resolution.

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### D

#### PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF RADIOLOGICAL WEAPONS

*The General Assembly,*

*Recalling* the resolution of the Commission for Conventional Armaments of 12 August 1948, which defined weapons of mass destruction to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or the other weapons mentioned above,

*Recalling* its resolution 2602 C (XXIV) of 16 December 1969,

*Recalling* paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly,<sup>121</sup> in which it is stated that a convention should be concluded prohibiting the development, production, stockpiling and use of radiological weapons.

*Reaffirming* its resolution 37/99 C of 13 December 1982 on the conclusion of such a convention,

*Convinced* that such a convention would serve to spare mankind the potential dangers of the use of radiological weapons and thereby contribute to strengthening peace and averting the threat of war.

*Noting* that negotiations on the conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons have been conducted in the Committee on Disarmament.

*Taking note* of that part of the report of the Committee on Disarmament on the work of its 1983 session which deals with those negotiations, including the report of the *Ad Hoc* Working Group on Radiological Weapons,<sup>123</sup>

*Recognizing* that, notwithstanding the progress achieved in those negotiations, divergent views continue to exist in connection with various aspects,

<sup>122</sup> A/38/368 and Add.1 and 2.

<sup>123</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 83.

*Taking into consideration* that the peaceful applications of nuclear energy involve the establishment of a large number of nuclear installations with a high concentration of radioactive materials, and bearing in mind that attacks against such nuclear facilities could have disastrous consequences,

*Noting with satisfaction* the wide recognition of the need to reach agreement on the comprehensive prohibition of radiological weapons,

1. *Requests* the Conference on Disarmament<sup>120</sup> to continue negotiations with a view to a prompt conclusion of the elaboration of a convention prohibiting the development, production, stockpiling and use of radiological weapons in order that it may be submitted to the General Assembly at its thirty-ninth session;

2. *Further requests* the Conference on Disarmament to continue its search for a prompt solution to the question of prohibition of attacks on nuclear facilities, including the scope of such prohibition, taking into account all proposals submitted to it to this end;

3. *Takes note* of the recommendation of the *Ad Hoc* Working Group on Radiological Weapons, in the report adopted by the Committee on Disarmament, to re-establish an *Ad Hoc* Working Group at the beginning of its 1984 session to continue its work and in that context to review and assess how best to make progress on the subject-matter;<sup>124</sup>

4. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration by the General Assembly at its thirty-eighth session of the prohibition of the development, production, stockpiling and use of radiological weapons and on the question of prohibition of attacks on nuclear facilities;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Prohibition of the development, production, stockpiling and use of radiological weapons".

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20 December 1983*

## E

### PROHIBITION OF THE PRODUCTION OF FISSIONABLE MATERIAL FOR WEAPONS PURPOSES

*The General Assembly,*

*Recalling* its resolutions 33/91 H of 16 December 1978, 34/87 D of 11 December 1979, 35/156 H of 12 December 1980, 36/97 G of 9 December 1981 and 37/99 E of 13 December 1982, in which it requested the Committee on Disarmament, at an appropriate stage of the implementation of the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly<sup>121</sup> and of its work on the item entitled "Nuclear weapons in all aspects", to consider urgently the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the Assembly informed of the progress of that consideration,

*Noting* that the agenda of the Committee on Disarmament for 1983 included the item entitled "Cessation of the nuclear arms race and nuclear disarmament" and that the Committee's programme of work for both parts of the session held in 1983 contained this item,

*Recalling* the proposals and statements made in the Committee on Disarmament on that item,<sup>125</sup>

*Considering* that the cessation of the production of fissionable material for weapons purposes and the progressive conversion and transfer of stocks to peaceful uses would be a significant step towards halting and reversing the nuclear-arms race,

*Considering* that the prohibition of the production of fissionable material for nuclear weapons and other explosive devices also would be an important measure in facilitating the prevention of the proliferation of nuclear weapons and explosive devices,

*Requests* the Conference on Disarmament,<sup>120</sup> at an appropriate stage of its work on the item entitled "Nuclear weapons in all aspects", to pursue its consideration of the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the General Assembly informed of the progress of that consideration.

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## F

### CURBING THE NAVAL ARMS RACE: LIMITATION AND REDUCTION OF NAVAL ARMAMENTS AND EXTENSION OF CONFIDENCE-BUILDING MEASURES TO SEAS AND OCEANS

*The General Assembly,*

*Convinced* that all channels of the arms race, and in particular the nuclear arms race, should be effectively covered by the efforts to halt and reverse it,

*Disturbed* by the growing threat to international peace and security posed by the continuing escalation of the naval arms race, especially in its nuclear aspects,

*Aware* that the growing military presence and naval activities of some States in conflict areas or far from their own shores increase the tension in these regions and could adversely affect the security of the international sea lanes through these areas and the exploitation of marine resources,

*Alarmed* by the ever more frequent use of naval formations (units, fleets, forces) for the demonstration of force and as an instrument of pressure against sovereign States or of interference in their internal affairs, thus threatening their vital security interests, independence and territorial integrity,

*Firmly convinced* that the undertaking of urgent practical steps to curb military confrontation at sea would serve the interests of international peace, security and prevention of nuclear war,

*Convinced* that the progress at the ongoing bilateral negotiations on limitation and reduction of strategic armaments could, *inter alia*, facilitate the efforts to restrict dangerous destabilizing naval activities and the naval arms race,

*Aware* of the numerous initiatives and concrete proposals to undertake agreed measures aimed at limiting naval activities, limiting and reducing naval armaments and extending confidence-building measures to seas and oceans,

<sup>124</sup> *Ibid.*, subpara. 13.

<sup>125</sup> *Ibid.*, Supplement No. 27 (A. 38/27), sect. III.B.

*Believing* that measures in this field would be a significant contribution to the efforts to strengthen international security and prevent war, especially nuclear war.

*Reaffirming* that seas and oceans, being of vital importance for mankind, should be used exclusively for peaceful purposes.

1. *Appeals* to all Member States, in particular the major naval Powers, to refrain from enlarging their naval activities in areas of conflict or tension, or far from their own shores;

2. *Recognizes* the urgent need to start negotiations with the participation of the major naval Powers, the nuclear-weapon States in particular, and other interested States on the limitation of naval activities, the limitation and reduction of naval armaments, taking into due account the nuclear aspect of the naval arms race, and the extension of confidence-building measures to seas and oceans, especially to regions with the busiest sea lanes or regions where the probability of conflict situations is high;

3. *Invites* the Member States to communicate to the Secretary-General, not later than June 1984, their views concerning modalities for holding such negotiations;

4. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report based on the replies of Member States called for under paragraph 3 above;

5. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "Curbing the naval arms race: limitation and reduction of naval armaments and extension of confidence-building measures to seas and oceans".

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## G

### STUDY ON THE NAVAL ARMS RACE

*The General Assembly,*

*Concerned* about the naval buildup and the development of naval arms systems,

*Mindful* of the paramount importance for the security and well-being of all nations, for international trade and shipping and for the economic exploitation of marine resources of preserving freedom of the high seas and of keeping open international sea communications for trade and shipping in a manner consistent with the Charter of the United Nations and with the principles of international law,

*Mindful also* of recent developments in the law of the sea,

*Noting* that some naval units constitute integral parts of the strategic nuclear forces of the two major nuclear-weapon Powers and are therefore included in the strategic arms negotiations while other naval nuclear weapons systems are not the subject of any disarmament negotiations,

*Recalling* paragraph 96 of the Final Document of the Tenth Special Session of the General Assembly,<sup>126</sup> which stated that taking further steps in the field of disarmament and other measures aimed at promoting international peace and security would be facilitated by the carrying out of studies by the Secretary-General in this field with

<sup>126</sup> Subsequently referred to as the Group of Governmental Experts to Carry Out a Comprehensive Study on the Naval Arms Race, Naval Forces and Naval Arms Systems.

<sup>127</sup> A/CN.10/38; see also A/CN.10/51.

appropriate assistance from governmental or consultant experts.

*Convinced* that a broad study carried out by the United Nations on the naval arms race, as well as on the development of naval forces and systems and their deployment, would enhance international understanding of the issues involved.

1. *Requests* the Secretary-General, with the assistance of qualified governmental experts,<sup>126</sup> to carry out a comprehensive study on the naval arms race, on naval forces and naval arms systems, including maritime nuclear-weapon systems, as well as on the development, deployment and mode of operation of such naval forces and systems, all with a view to analysing their possible implications for international security, for the freedom of the high seas, for international shipping routes and for the exploitation of marine resources, thereby facilitating the identification of possible areas for disarmament and confidence-building measures;

2. *Invites* all Governments to submit to the Secretary-General, not later than 1 April 1984, their views on the content of such a study and to co-operate with him by making relevant material available in order to achieve the objectives of the study;

3. *Requests* the Secretary-General to submit the final report to the General Assembly at its fortieth session.

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## H

### INDEPENDENT COMMISSION ON DISARMAMENT AND SECURITY ISSUES

*The General Assembly,*

*Recalling* its resolution 37/99 B of 13 December 1982, in which it noted the report of the Independent Commission on Disarmament and Security Issues entitled "Common security—a programme for disarmament", submitted to the General Assembly at its twelfth special session,<sup>127</sup> the second special session devoted to disarmament,

*Recalling also* that the Disarmament Commission, in accordance with resolution 37/99 B, considered the recommendations and proposals in the report of the Independent Commission, and that the Disarmament Commission recommended that the report be taken into account in ongoing and future disarmament efforts,<sup>128</sup>

*Regretting* the lack of trust and confidence between States, especially between the nuclear-weapon Powers, reflected, *inter alia*, in the concepts of security adopted by Governments,

*Bearing in mind* that the Disarmament Commission held a broad discussion of the concept of common security which it found a valuable approach in the search for lasting peace and security,

*Emphasizing* the need for creating concepts enhancing political and economic confidence between nations and policies arrived at not against, but in co-operation with other nations, as, for instance, in the *Comprehensive Study on Confidence-building Measures*,<sup>129</sup>

*Recalling* paragraph 96 of the Final Document of the Tenth Special Session of the General Assembly,<sup>121</sup> in

<sup>128</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 42 (A/38/42)*, para. 25.

<sup>129</sup> United Nations publication, Sales No. E.82.IX.3.

which it was stated that taking further steps in the field of disarmament and other measures aimed at promoting international peace and security would be facilitated by the carrying out of studies by the Secretary-General in this field with appropriate assistance from governmental or consultant experts.

1. *Welcomes* the report of the Independent Commission on Disarmament and Security Issues<sup>127</sup> as a timely and constructive contribution to international efforts to achieve disarmament and to maintain and strengthen international peace and security;

2. *Recommends* that the report of the Independent Commission on Disarmament and Security Issues be duly taken into account in ongoing and future disarmament efforts;

3. *Requests* the Secretary-General, with the assistance of qualified governmental experts,<sup>130</sup> to carry out a comprehensive study of concepts of security, in particular security policies which emphasize co-operative efforts and mutual understanding between States, with a view to developing proposals for policies aimed at preventing the arms race, building confidence in relations between States, enhancing the possibility of reaching agreements on arms limitation and disarmament and promoting political and economic security;

4. *Invites* all States to submit to the Secretary-General, not later than 1 April 1984, their views on the content of such a study and to co-operate with him in order to achieve the objectives of the study;

5. *Requests* the Secretary-General to submit the final report to the General Assembly at its fortieth session.

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## I

### REVIEW OF AND SUPPLEMENT TO THE *Comprehensive study of the question of nuclear-weapon-free zones in all its aspects*

*The General Assembly,*

*Recalling* its resolution 37/99 F of 13 December 1982, in which it decided that a study should be undertaken to review and supplement the *Comprehensive study of the question of nuclear-weapon-free zones in all its aspects*<sup>131</sup> in the light of information and experience accumulated since 1975,

*Recalling also* that in paragraph 61 of the Final Document of the Tenth Special Session of the General Assembly<sup>121</sup> it was determined that the process of establishing nuclear-weapon-free zones should be encouraged, with the ultimate objective of achieving a world entirely free of nuclear weapons,

*Considering* that the documents submitted to the General Assembly at its thirty-eighth session on the question of nuclear-weapon-free zones, as well as the views expressed in the general debate on this particular subject, provide additional elements relevant to the updating of the study,

*Requests* the Secretary-General to transmit to the Group of Governmental Experts on Nuclear-Weapon-Free Zones, established by resolution 37/99 F, for its consideration and analysis all the relevant documents submitted to the General Assembly at its thirty-eighth session, as well as

the records of the debate on the question of nuclear-weapon-free zones.

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20 December 1983*

## J

### INSTITUTIONAL ARRANGEMENTS RELATING TO THE PROCESS OF DISARMAMENT

*The General Assembly,*

*Convinced* that the United Nations, in accordance with the Charter, has a central role and primary responsibility in the sphere of disarmament and should, accordingly, play a more active role in this field,

*Reaffirming* that the international machinery should be utilized more effectively to promote the cause of disarmament,

*Reaffirming also* the role of the Conference on Disarmament<sup>120</sup> as the single multilateral disarmament negotiating forum,

*Stressing* that the Department for Disarmament Affairs of the Secretariat should take full account of the possibilities offered by specialized agencies and other organizations and programmes of the United Nations system with regard to studies and information on disarmament,

*Stressing again* the close relationship between matters concerning international security and disarmament and the interest in close co-operation between the units in the Secretariat dealing with them,

*Convinced* that all possible avenues should be effectively utilized for the cause of preventing war, in particular nuclear war, and achieving disarmament,

*Reaffirming further* the close link existing between disarmament and development,

*Convinced* that disarmament would contribute over the long term to the effective economic and social development of all States, in particular developing countries, by contributing to reducing the economic disparities between developed and developing countries and establishing the new international economic order on the basis of justice, equity and co-operation, and towards solving other global problems.

*Convinced also* that there is a close relationship between the development of international co-operation in various fields, such as trade, economic development, environmental protection and health and the prevention of war, in particular nuclear war, and the achievement of arms limitation and disarmament.

*Reaffirming its invitation* to the relevant specialized agencies to intensify activities within their areas of competence to disseminate information on the consequences of the arms race,

*Taking note with appreciation* of various activities carried out by United Nations organizations and agencies within the framework of the World Disarmament Campaign,

*Commending* the report of the World Health Organization entitled "Effects of nuclear war on health and health services", as well as appropriate efforts undertaken by other specialized agencies,

1. *Invites* the specialized agencies and other organizations and programmes of the United Nations system to broaden further their contribution, within their areas of

<sup>130</sup> Subsequently referred to as the Group of Governmental Experts to Carry Out a Comprehensive Study of Concepts of Security.

<sup>131</sup> United Nations publication, Sales No. E.76.1.7.

competence, to the cause of arms limitation and disarmament;

2. *Reaffirms* the necessity of ensuring constant co-ordination of activities carried out in the field of disarmament by various entities of the United Nations;

3. *Invites* the specialized agencies and other organizations and programmes of the United Nations system to report to the General Assembly at its thirty-ninth session on the activities carried out by them in implementation of the present resolution;

4. *Recommends* to the Secretary-General that, in the agenda of his periodic meetings with the executive heads of the specialized agencies, he include an item relative to disarmament, in the consideration of which the Under-Secretary-General for Disarmament Affairs would participate;

5. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "Contribution of the specialized agencies and other organizations and programmes of the United Nations system to the cause of arms limitation and disarmament".

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### **38/189. Strengthening of security and co-operation in the Mediterranean region**

*The General Assembly,*

*Recalling* its resolutions 36/102 of 9 December 1981 and 37/118 of 16 December 1982 on the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security",

*Mindful* of the importance of strengthening peace and security in the Mediterranean and of the resultant impact on international peace and security,

*Noting* the provisions relating to the Mediterranean in the Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975, and those of the Concluding Documents of the meetings of representatives of the participating States of the Helsinki Conference, held at Belgrade from 4 October 1977 to 8 March 1978 and at Madrid from 11 November 1980 to 9 September 1983,

*Noting* the declarations of the successive meetings of the non-aligned countries concerning the Mediterranean, as well as official declarations on, and contributions to, peace and security in the Mediterranean made by individual countries,

*Taking note* of the analytical report of the Secretary-General,<sup>132</sup>

1. *Recognizes:*

(a) That the security of the Mediterranean is closely linked with international peace and security;

(b) That further efforts are necessary for the reduction of tension and of armaments and for the creation of conditions of security and fruitful co-operation in all fields for all countries and peoples of the Mediterranean, on the basis of the principles of sovereignty, independence, territorial integrity, security, non-intervention and non-interference, non-violation of international borders, non-use of force or threat of use of force, the inadmissibility of the acquisition of territory by force, the peaceful settlement of disputes and respect for sovereignty over natural resources;

<sup>132</sup> A/38/395.

<sup>133</sup> Resolution 2625 (XXV), annex.

(c) The need for just and viable solutions to existing problems and crises in the area, on the basis of the provisions of the Charter and of relevant resolutions of the United Nations, the withdrawal of foreign forces of occupation and the right of peoples under colonial or foreign domination to self-determination and independence;

2. *Encourages* efforts to intensify existing and promote new forms of co-operation in various fields, particularly those aimed at reducing tension and strengthening confidence and security in the region;

3. *Urges* Mediterranean States to inform the Secretary-General of any concerted efforts aimed at promoting and strengthening security and co-operation in the Mediterranean;

4. *Urges* all States to co-operate with Mediterranean States in efforts to enhance security and co-operation in the Mediterranean;

5. *Invites* the Secretary-General to give due attention to the question of peace, security and co-operation in the Mediterranean region and, if requested to do so, to render advice and assistance to concerted efforts by Mediterranean countries in promoting peace, security and co-operation in the region;

6. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session, on the basis of all replies received and notifications submitted in the implementation of the present resolution and taking into account the debate on this question during its thirty-eighth session, a comprehensive report on strengthening security and co-operation in the Mediterranean;

7. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Strengthening of security and co-operation in the Mediterranean region".

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### **38/190. Review of the implementation of the Declaration on the Strengthening of International Security**

*The General Assembly,*

*Having considered* the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security",

*Recalling* the duty of States not to intervene in the internal or external affairs of any State, in accordance with the Charter of the United Nations,

*Recalling* the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>133</sup>

*Noting* the provisions of the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States,<sup>134</sup>

*Alarmed* by increasing tensions in international relations, the resurgence of great-Power confrontations, the revival of the cold war accompanied by the policy of competition for spheres of influence, domination and exploitation in more and more parts of the world and the intensified escalation to new levels of the arms race, particularly in nuclear weapons, all of which pose a grave threat to global peace and security,

*Profoundly disturbed* by the increasing recourse to the use or threat of use of force, military intervention and

<sup>134</sup> Resolution 36/103.



interference, aggression and foreign occupation; the aggravation of existing crises in the world and the outbreak of new ones; continued infringement of the independence, sovereignty and territorial integrity of countries; the denial of the right to self-determination of peoples under colonial and foreign occupation, and attempts to characterize erroneously the struggles of peoples for independence and human dignity as falling within the context of East-West confrontation, thus denying them the right to self-determination, to decide their own destiny and realize their legitimate aspirations; the persistence of colonialism, racism and *apartheid* supported by growing use of military force; the intensification and expansion in scope and frequency of manoeuvres and other military activities conceived within the context of big-Power confrontation and used as means of pressure, threat and destabilization; and the lack of solutions to the world economic crisis in which the deeper underlying problems of a structural nature have been compounded by cyclical factors and which has further aggravated the inequalities and injustices in international economic relations.

*Aware* of the increasing interdependence among nations and of the fact that in the present-day world there is no alternative to a policy of peaceful coexistence, détente and co-operation among States on the basis of equality, irrespective of their economic or military power, political and social systems or size and geographic location,

*Noting with concern* that the United Nations system of collective security has not been used effectively,

*Stressing* the need for the main organs of the United Nations responsible for the maintenance of peace and security, particularly the Security Council, to contribute more effectively to the promotion of international peace and security by seeking solutions to the unresolved problems and crises in the world.

1. *Reaffirms* the validity of the Declaration on the Strengthening of International Security<sup>135</sup> and calls upon all States to contribute effectively to its implementation;

2. *Again calls upon* all States, in particular the nuclear-weapon States and other militarily significant States, to take immediate steps aimed at promoting and using effectively the system of collective security as envisaged in the Charter of the United Nations, together with measures for the effective halting of the arms race and for the achievement of general and complete disarmament under effective international control;

3. *Reiterates* that the current deterioration of the international situation requires an effective Security Council and, to that end, emphasizes the great urgency of examining all existing mechanisms and working methods in order to enhance the authority and enforcement capacity of the Council, in accordance with the Charter;

4. *Emphasizes*, in particular, the need to consider holding periodic meetings of the Security Council in specific cases to consider and review outstanding problems and crises, thus enabling the Council to play a more active role in preventing conflicts;

5. *Takes note* of the fact that the Security Council has thus far failed to report to the General Assembly on steps taken to implement the provisions of paragraphs 3 and 4 above, which have been adopted since 1980, and expresses the firm hope that the Council will do so at the thirty-ninth session of the Assembly;

6. *Urges* all States to abide strictly, in their international relations, by their commitment to the Charter and, to this end:

(a) To refrain from the use or threat of use of force, intervention, interference, aggression, foreign occupation and colonial domination or measures of political and economic coercion which violate the sovereignty, territorial integrity, independence and security of other States or their right freely to dispose of their natural resources;

(b) To refrain from supporting or encouraging any such act for any reason whatsoever and to reject and refuse recognition of situations brought about by any such act;

7. *Invites* all States, in particular the major military Powers and States members of military alliances, to refrain, especially in critical situations and in crisis areas, from actions, including military activities and manoeuvres, conceived within the context of big-Power confrontation and used as a means of pressure on, threat to and destabilization of other States and regions;

8. *Urges* all States, in particular the permanent members of the Security Council, to take all necessary measures to prevent the further deterioration of the international situation and, to this end:

(a) To seek, through the means provided for in the Charter, the peaceful settlement of disputes and the elimination of the focal points of crisis and tension which constitute a threat to international peace and security;

(b) To proceed without delay to a global consideration of ways and means for bringing about a revival of the world economy and for the restructuring of international economic relations within the framework of the global negotiations with a view to establishing the new international economic order;

(c) To accelerate the economic development of developing countries, particularly the least developed ones;

9. *Considers* that respect for and the promotion of human rights and fundamental freedoms in their civil, political, economic, social and cultural aspects, on the one hand, and the strengthening of international peace and security, on the other, mutually reinforce each other;

10. *Reaffirms* the legitimacy of the struggle of peoples under colonial domination, foreign occupation or racist régimes and their inalienable right to self-determination and independence, and urges Member States to increase their support for and solidarity with them and their national liberation movements and to take urgent and effective measures for the speedy completion of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>136</sup> and for the final elimination of colonialism, racism and *apartheid*;

11. *Calls upon* all States, particularly the members of the Security Council, to take appropriate and effective measures to promote the fulfilment of the objective of the denuclearization of Africa in order to avert the serious danger which the nuclear capability of South Africa constitutes to the African States, in particular the front-line States, as well as to international peace and security;

12. *Welcomes* the successful conclusion of the Madrid meeting of representatives of the participating States of the Conference on Security and Co-operation in Europe, held from 11 November 1980 to 9 September 1983, which has demonstrated that political will to negotiate is necessary as a contribution to the strengthening of peace and security not only in Europe but also internationally, and expresses the hope that the conference to be held at Stockholm, beginning on 17 January 1984, the Conference on Confidence- and Security-Building Measures and Disarmament in Europe, the continent with the greatest concentration of armaments and military forces, will achieve significant and positive results;

<sup>135</sup> Resolution 2734 (XXV).

<sup>136</sup> Resolution 1514 (XV).

13. *Affirms* that the democratization of international relations is an imperative necessity, under conditions of interdependence, for the full development and independence of all States, as well as the attainment of genuine security, peace and co-operation in the world;

14. *Calls upon* the great Powers to engage in constructive negotiations in good faith and to abandon policies of confrontation which have hitherto given rise to tension and mistrust;

15. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security".

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### 38/191. Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security

*The General Assembly,*

*Recalling* its resolution 37/119 of 16 December 1982 on the implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security.

*Reaffirming* that the primary function of the United Nations, in particular through the Security Council, is the maintenance of international peace and security,

*Renewing* its commitment to the fundamental principle of the Charter that all States have the duty not to threaten or use force against the sovereignty, political independence or territorial integrity of other States,

*Stressing* that the purposes of the United Nations can be achieved only under conditions in which States comply fully with their obligations assumed under the Charter,

*Alarmed* over the growing tendency of States to resort to the use of force, interference and intervention in international relations, thus ignoring the Charter and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>137</sup>

*Concerned* that the Security Council has not always been able to take decisive action for the maintenance of international peace and for resolving international problems,

*Recognizing* that fundamental approaches to genuine security include, *inter alia*, the strengthening of the Charter system of collective security,

<sup>137</sup> Resolution 2625 (XXV).

<sup>138</sup> *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1)*.

<sup>139</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 1 (A/38/1)*.

<sup>140</sup> *Official Records of the Security Council, Thirty-eighth Year, Supplement for July, August and September 1983, document S/15971*.

<sup>141</sup> A/38/271-S/15830, annex. For the printed text, see *Official Records of the Security Council, Supplement for April, May and June 1983, document S/15830, annex*.

*Conscious* of the important role with which the Security Council is entrusted in enhancing the collective security provisions of the Charter for the promotion and maintenance of international peace and security, in accordance with the Charter,

*Regretting* that the provisions of the Charter relating to collective security measures have not been fully implemented,

*Taking into account*, in this connection, the reports of the Secretary-General on the work of the Organization to the General Assembly at its thirty-seventh<sup>138</sup> and thirty-eighth<sup>139</sup> sessions,

*Also taking into account* the note by the President of the Security Council of 12 September 1983,<sup>140</sup>

*Recalling* the views of the Governments of the five Nordic countries on the strengthening of the United Nations,<sup>141</sup>

*Also recalling* the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>142</sup>

*Having considered* the item entitled "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security",

1. *Decides* to establish an *Ad Hoc* Committee on the Implementation of the Collective Security Provisions of the Charter of the United Nations<sup>143</sup> for the purpose of exploring ways and means of implementing the said provisions;

2. *Requests* the Secretary-General urgently to invite the views and comments of Member States on the matter not later than 30 May 1984 and to transmit them to the *Ad Hoc* Committee as soon as possible;

3. *Requests* the *Ad Hoc* Committee, in considering the matter, to take due account of the views and comments of Member States, including their recommendations, and to submit a progress report to the Security Council for its consideration and comments and to the General Assembly at its thirty-ninth session, and a final report to the Assembly at its fortieth session;

4. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security".

103rd plenary meeting  
20 December 1983

<sup>142</sup> A/38/132-S/15675 and Corr.1 and 2, annex, sect. I.

<sup>143</sup> At its 104th plenary meeting, on 20 December 1983, the General Assembly entrusted its President with the task of appointing the members of the *Ad Hoc* Committee. The membership of the Committee will be announced subsequently.

#### IV. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SPECIAL POLITICAL COMMITTEE<sup>1</sup>

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#### 38/78. Effects of atomic radiation

*The General Assembly,*

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 37/87 of 10 December 1982, by which the Assembly, *inter alia*, requested the Scientific Committee to continue its work,

*Taking note with appreciation of the report of the United Nations Scientific Committee on the Effects of Atomic Radiation,<sup>2</sup>*

*Reaffirming the desirability of the Scientific Committee continuing its work,*

*Concerned about the potentially harmful effects on present and future generations, resulting from the levels of radiation to which man is exposed,*

<sup>1</sup> For the decisions adopted on the reports of the Special Political Committee, see sect. X.B.3.

<sup>2</sup> A/38/142.

Conscious of the continued need to examine and compile information about atomic and ionizing radiation and to analyse its effects on man and his environment.

Taking note of the decision of the Scientific Committee to submit shorter reports with scientific supporting documents on the specialized topics mentioned in its report, as soon as the relevant studies are completed,<sup>3</sup>

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past twenty-eight years, since its inception, to wider knowledge and understanding of the levels, effects and risks of atomic radiation and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Notes with satisfaction* the continued and growing scientific co-operation between the Scientific Committee and the United Nations Environment Programme;

3. *Requests* the Scientific Committee to continue its work, including its important co-ordinating activities, to increase knowledge of the levels, effects and risks of ionizing radiation from all sources;

4. *Endorses* the Scientific Committee's intentions and plans for its future activities of scientific review and assessment on behalf of the General Assembly;

5. *Requests* the Scientific Committee to continue at its next session the review of important problems in the field of radiation and to report thereon to the General Assembly at its thirty-ninth session;

6. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the Scientific Committee's work and for the dissemination of its findings to the General Assembly, the scientific community and the public;

7. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their co-operation in this field;

8. *Invites* Member States and the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of the Scientific Committee's future reports to the General Assembly.

98th plenary meeting  
15 December 1983

### 38/79. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

#### A

*The General Assembly,*

*Having heard* the statement of the representative of the Palestine Liberation Organization relative to the fate of Ziad Abu Eain,<sup>4</sup>

*Taking note* of the report of the International Committee of the Red Cross of 13 December 1983,<sup>5</sup>

1. *Condemns* Israel for the fact that one prisoner, Ziad Abu Eain, who had been registered before embarkation by

<sup>3</sup> *Ibid.*, para. 5.

<sup>4</sup> *Official Records of the General Assembly, Thirty-eighth Session, Special Political Committee, 40th meeting, para. 1.*

delegates of the International Committee of the Red Cross at Tel Aviv Airport, was taken at the last minute by the Israeli authorities;

2. *Demands* the immediate release of Ziad Abu Eain, as well as the other prisoners who were duly registered to be freed from Insar Camp and other military command posts in southern Lebanon but have not in fact been released, and the securing of their transfer to Algiers in conformity with the agreement reached through the good offices of the International Committee of the Red Cross;

3. *Requests* the Secretary-General to report on the implementation of the present resolution.

98th plenary meeting  
15 December 1983

#### B

*The General Assembly,*

*Recalling* its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981 and 37/88 A of 10 December 1982,

*Recalling also* Security Council resolution 465 (1980) of 1 March 1980 in which, *inter alia*, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>6</sup> is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

*Considering* that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

*Bearing in mind* the provisions of the Geneva Convention,

*Noting* that Israel and those Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

*Taking into account* that States parties to that Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. *Condemns once again* the failure of Israel as the occupying Power to acknowledge the applicability of that Convention to the territories it has occupied since 1967, including Jerusalem;

3. *Strongly demands* that Israel acknowledge and comply with the provisions of that Convention in Palestinian and other Arab territories it has occupied since 1967, including Jerusalem;

4. *Urgently calls upon* all States parties to that Convention to exert every effort in order to ensure respect for and compliance with its provisions in Palestinian and other

<sup>5</sup> See A/38/735.

<sup>6</sup> United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

Arab territories occupied by Israel since 1967, including Jerusalem.

98th plenary meeting  
15 December 1983

### C

*The General Assembly,*

Recalling its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 C of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981 and 37/88 B of 10 December 1982,

Recalling also Security Council resolution 465 (1980) of 1 March 1980,

Expressing grave anxiety and concern at the present serious situation in the occupied Palestinian and other Arab territories, including Jerusalem, as a result of the continued Israeli occupation and the measures and actions taken by the Government of Israel, the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

Considering that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>6</sup> is applicable to all Arab territories occupied since June 1967, including Jerusalem,

1. *Determines* that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and constitute a serious obstruction of efforts to achieve a just and lasting peace in the Middle East and therefore have no legal validity;

2. *Strongly deplores* the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the Palestinian and other occupied Arab territories, including Jerusalem;

3. *Demands* that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention;

4. *Demands once more* that the Government of Israel, the occupying Power, desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Palestinian and other Arab territories occupied since 1967, including Jerusalem;

5. *Urgently calls upon* all States parties to the Geneva Convention to respect and to exert every effort in order to ensure respect for and compliance with its provisions in all Arab territories occupied by Israel since 1967, including Jerusalem.

98th plenary meeting  
15 December 1983

### D

*The General Assembly,*

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights,<sup>7</sup>

*Bearing in mind* the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>6</sup> as well as of other relevant conventions and regulations,

Recalling all its resolutions on the subject, in particular resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 35/122 C of 11 December 1980, 36/147 C of 16 December 1981 and 37/88 C of 10 December 1982, and also those adopted by the Security Council, the Commission on Human Rights, in particular its resolution 1983/1 of 15 February 1983,<sup>8</sup> and other United Nations organs concerned and by the specialized agencies,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,<sup>9</sup> which contains, *inter alia*, public statements made by officials of the Government of Israel,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its thoroughness and impartiality;

2. *Deplores* the continued refusal by Israel to allow the Special Committee access to the occupied territories;

3. *Demands* that Israel allow the Special Committee access to the occupied territories;

4. *Reaffirms* the fact that occupation itself constitutes a grave violation of the human rights of the civilian population of the occupied Arab territories;

5. *Condemns* the continued and persistent violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and other applicable international instruments, and condemns in particular those violations which that Convention designates as "grave breaches" thereof;

6. *Declares once more* that Israel's grave breaches of that Convention are war crimes and an affront to humanity;

7. *Strongly condemns* the following Israeli policies and practices:

(a) Annexation of parts of the occupied territories, including Jerusalem;

(b) Imposition of Israeli laws, jurisdiction and administration on the Syrian Golan Heights, which has resulted in the effective annexation of the Syrian Golan Heights;

(c) Establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and transfer of an alien population thereto;

(d) Evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories and denial of their right to return;

(e) Confiscation and expropriation of private and public Arab property in the occupied territories and all other transactions for the acquisition of land involving the Israeli authorities, institutions or nationals on the one hand and the inhabitants or institutions of the occupied territories on the other;

(f) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

<sup>7</sup> Resolution 217 A (III).

<sup>8</sup> See *Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1)*, chap. XXVII.

<sup>9</sup> See A/38/409.

- (g) Pillaging of archaeological and cultural property;
- (h) Destruction and demolition of Arab houses;
- (i) Collective punishment, mass arrests, administrative detention and ill-treatment of the Arab population;
- (j) Ill-treatment and torture of persons under detention;
- (k) Interference with religious freedoms and practices as well as family rights and customs;
- (l) Interference with the system of education and with the social and economic development of the population in the occupied Palestinian and other Arab territories;
- (m) Interference with the freedom of movement of individuals within the occupied Palestinian and other Arab territories;
- (n) Illegal exploitation of the natural wealth, resources and population of the occupied territories;

8. *Strongly condemns* the arming of Israeli settlers in the occupied territories to commit acts of violence against Arab civilians and the perpetration of acts of violence by these armed settlers against individuals, causing injury and death and wide-scale damage to Arab property;

9. *Reaffirms* that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in the occupied territories constitutes a flagrant violation of the Geneva Convention and of the relevant resolutions of the United Nations;

10. *Demands* that Israel desist forthwith from the policies and practices referred to in paragraphs 7, 8 and 9 above;

11. *Calls upon* Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967;

12. *Urges* the international organizations and the specialized agencies, in particular the International Labour Organisation, to examine the conditions of Arab workers in the occupied Palestinian and other Arab territories, including Jerusalem;

13. *Reiterates its call* upon all States, in particular those States parties to the Geneva Convention, in accordance with article 1 of that Convention, and upon international organizations and the specialized agencies not to recognize any changes carried out by Israel in the occupied territories and to avoid actions, including those in the field of aid, which might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

14. *Requests* the Special Committee, pending the early termination of Israeli occupation, to continue to investigate Israeli policies and practices in the Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the population of the occupied territories and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

15. *Requests* the Special Committee to continue to investigate the treatment of civilians in detention in the Arab territories occupied by Israel since 1967;

16. *Condemns* Israel's refusal to permit persons from the occupied territories to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied territories;

17. *Requests* the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, with a view to investigating the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To ensure the widest circulation of the reports of the Special Committee, and of information regarding its activities and findings, by all means available through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(d) To report to the General Assembly at its thirty-ninth session on the tasks entrusted to him in the present paragraph;

18. *Requests* the Security Council to ensure Israel's respect for and compliance with all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in Palestinian and other Arab territories occupied since 1967, including Jerusalem, and to initiate measures to halt Israeli policies and practices in those territories;

19. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories".

*98th plenary meeting  
15 December 1983*

## E

*The General Assembly,*

*Recalling* Security Council resolutions 468 (1980) of 8 May 1980, 469 (1980) of 20 May 1980 and 484 (1980) of 19 December 1980 and General Assembly resolutions 36/147 D of 16 December 1981 and 37/88 D of 10 December 1982,

*Deeply concerned* at the expulsion by the Israeli military occupation authorities of the Mayors of Hebron and Halhul and of the Sharia Judge of Hebron,

*Recalling* the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>6</sup> in particular article 1 and the first paragraph of article 49, which read as follows:

*"Article 1*

*"The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."*

*"Article 49*

*"Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive ..."*

*Reaffirming* the applicability of the Geneva Convention to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

1. *Demands once more* that the Government of Israel, the occupying Power, rescind the illegal measures taken by the Israeli military occupation authorities in expelling and imprisoning the Mayors of Hebron and Halhul and in expelling the Sharia Judge of Hebron and that it facilitate

the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

2. *Requests* the Secretary-General to report to the General Assembly as soon as possible on the implementation of the present resolution.

*98th plenary meeting  
15 December 1983*

## F

*The General Assembly,*

*Deeply concerned* that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

*Recalling* Security Council resolution 497 (1981) of 17 December 1981 and General Assembly resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982 and 37/88 E of 10 December 1982,

*Recalling* its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which it, *inter alia*, called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

*Reaffirming once more* the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights, which has resulted in the effective annexation of that territory,

*Reaffirming* that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied by Israel must be returned,

*Recalling* the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>6</sup>

1. *Strongly condemns* Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, *inter alia*, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. *Condemns* the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan Heights;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan Heights are null and void and constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. *Strongly condemns* Israel for its attempts and measures to impose forcibly Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan Heights and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan Heights;

5. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

6. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the implementation of the present resolution.

*98th plenary meeting  
15 December 1983*

## G

*The General Assembly,*

*Bearing in mind* the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>6</sup>

*Deeply shocked* by the most recent atrocities committed by Israel, the occupying Power, against educational institutions in the occupied Palestinian territories,

1. *Reaffirms* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. *Condemns* Israeli policies and practices against Palestinian students and faculties in schools, universities and other educational institutions in the occupied Palestinian territories, especially the policy of opening fire on defenceless students, causing many casualties;

3. *Condemns* the systematic Israeli campaign of repression against and closing of universities in the occupied Palestinian territories, restricting and impeding the academic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in clear contravention of the Geneva Convention;

4. *Demands* that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities and other educational institutions;

5. *Requests* the Secretary-General to submit a report on the implementation of the present resolution before the end of 1984.

*98th plenary meeting  
15 December 1983*

## H

*The General Assembly,*

*Recalling* Security Council resolution 471 (1980) of 5 June 1980, in which the Council condemned the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh and called for the immediate apprehension and prosecution of the perpetrators of those crimes,

*Recalling also* General Assembly resolutions 36/147 G of 16 December 1981 and 37/88 G of 10 December 1982,

*Recalling once again* the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>6</sup> in particular article 27, which states, *inter alia*:

“Protected persons are entitled, in all circumstances, to respect for their persons . . . They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof . . .”

*Reaffirming* the applicability of that Convention to the Arab territories occupied by Israel since 1967, including Jerusalem.

1. *Expresses deep concern* that Israel, the occupying Power, has failed for three years to apprehend and prosecute the perpetrators of the assassination attempts;

2. *Demands once more* that Israel, the occupying Power, inform the Secretary-General of the results of the investigations relative to the assassination attempts;

3. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the implementation of the present resolution.

98th plenary meeting  
15 December 1983

### 38/80. International co-operation in the peaceful uses of outer space

*The General Assembly,*

*Recalling* its resolutions 37/89 and 37/90 of 10 December 1982,

*Deeply convinced* of the common interest of mankind in promoting the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and of the importance of international co-operation in this field, for which the United Nations should continue to provide a focal point,

*Reaffirming* the importance of international co-operation in developing the rule of law for the advancement and preservation of the exploration and peaceful uses of outer space,

*Gravely concerned* at the extension of the arms race into outer space,

*Aware* of the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to the socio-economic advancement of mankind, in particular the peoples of developing countries,

*Taking note with satisfaction* of the progress achieved in the further development of peaceful space exploration and application as well as in various national and co-operative space projects, which contribute to international co-operation in this field,

*Taking note* of the report of the Secretary-General on the implementation of resolution 37/90,<sup>10</sup>

*Having considered* the report of the Committee on the Peaceful Uses of Outer Space on the work of its twenty-sixth session,<sup>11</sup>

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space;

2. *Invites* States that have not yet become parties to the international treaties governing the use of outer space<sup>12</sup> to give consideration to ratifying or acceding to those treaties;

3. *Notes* that the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space at its twenty-second session continued:

(a) Its efforts to formulate draft principles relating to the legal implications of remote sensing of the Earth from space;

(b) Its consideration of the possibility of supplementing the norms of international law relevant to the use of nuclear power sources in outer space through its working group;

(c) Its discussion of matters relating to the definition or delimitation of outer space and outer space activities, bearing in mind, *inter alia*, questions relating to the geostationary orbit;

4. *Notes with satisfaction* the successful efforts of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space in elaborating an agreed text concerning the format and the procedure for notification in case of malfunction of a spacecraft carrying a nuclear power source on board;

5. *Decides* that the Legal Sub-Committee at its twenty-third session should:

(a) Continue, on a priority basis, its detailed consideration of the legal implications of remote sensing of the Earth from space, with the aim of formulating draft principles relating to remote sensing;

(b) Continue its consideration of the possibility of supplementing the norms of international law relevant to the use of nuclear power sources in outer space through its working group;

(c) Establish a working group to consider, on a priority basis, matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including the elaboration of general principles to govern the rational and equitable use of the geostationary orbit, a limited natural resource, and, to that end, requests Member States to submit draft principles; in doing so, it would have to take account of the different legal régimes governing airspace and outer space, respectively, and the need for technical planning and legal regulation of the geostationary orbit;

6. *Notes* that the Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space at its twentieth session continued:

(a) Its consideration of the United Nations Programme on Space Applications and the co-ordination of space activities within the United Nations system;

(b) Its consideration of questions relating to remote sensing of the earth by satellites;

(c) Its examination of the physical nature and technical attributes of the geostationary orbit;

(d) Its consideration of technical aspects and safety measures relating to the use of nuclear power sources in outer space;

(e) Its consideration of questions relating to space transportation systems and their implications for future activities in space;

(f) Its consideration of the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space;<sup>13</sup>

<sup>10</sup> A/38/412.

<sup>11</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 20 (A/38/20)*.

<sup>12</sup> *Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for*

*Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex)*.

<sup>13</sup> See *Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982 (A/CONF.101/10 and Corr.1 and 2)*.



7. *Endorses* the recommendation of the Committee on the Peaceful Uses of Outer Space that the Scientific and Technical Sub-Committee at its twenty-first session should:

- (a) Consider the following items on a priority basis:
  - (i) United Nations Programme on Space Applications and the co-ordination of space activities within the United Nations system;
  - (ii) Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space;
  - (iii) Questions relating to remote sensing of the Earth by satellites;
  - (iv) Use of nuclear power sources in outer space;
- (b) Consider the following items:
  - (i) Questions relating to space transportation systems and their implications for future activities in space;
  - (ii) Examination of the physical nature and technical attributes of the geostationary orbit;

8. *Endorses further* the recommendation of the Committee on the Peaceful Uses of Outer Space that, during the twenty-first session of the Scientific and Technical Sub-Committee, the Working Group on the Use of Nuclear Power Sources in Outer Space should be reconvened to conduct additional work on the basis of the report of the Working Group on the work of its third session;<sup>14</sup>

9. *Endorses* the United Nations Programme on Space Applications for 1984, as proposed to the Committee on the Peaceful Uses of Outer Space by the Expert on Space Applications;

10. *Emphasizes* the urgency and importance of implementing fully the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space as early as possible;

11. *Reaffirms* its approval of the recommendation of the Conference regarding the establishment and strengthening of regional mechanisms of co-operation and their promotion and creation through the United Nations system;

12. *Expresses its appreciation* to all Governments that made or expressed their intention to make contributions towards carrying out the recommendations of the Conference;

13. *Invites* all Governments to take effective action for the implementation of the recommendations of the Conference;

14. *Calls upon* all States, in particular those with major space capabilities, to undertake prompt negotiations, under the auspices of the United Nations, with a view to reaching agreement or agreements designed to halt the militarization of outer space and to prevent an arms race in outer space, thus contributing to the achievement of the internationally accepted goal of ensuring the use of outer space exclusively for peaceful purposes;

15. *Requests* the Committee on the Peaceful Uses of Outer Space to consider, as a matter of priority, the questions relating to the militarization of outer space, taking into account that, in General Assembly resolution 37/83 of 9 December 1982, the Committee on Disarmament<sup>15</sup> was requested to consider as a matter of priority the question of preventing an arms race in outer space, and also taking into account the need to co-ordinate the efforts of the

Committee on the Peaceful Uses of Outer Space and the Committee on Disarmament;

16. *Requests* the Committee on the Peaceful Uses of Outer Space to report to the General Assembly at its thirty-ninth session on the outcome of its consideration of the subject referred to in paragraph 15 above;

17. *Endorses* the recommendation of the Committee on the Peaceful Uses of Outer Space that, of the study projects proposed by the United Nations Conference on the Exploration and Peaceful Uses of Outer Space, the following three studies be carried out on a priority basis:

(a) Assistance to countries in studying their remote-sensing needs and assessing appropriate systems for meeting such needs (United Nations, United Nations Environment Programme, United Nations Development Programme and Food and Agriculture Organization of the United Nations);

(b) The feasibility of using direct broadcasting satellites for educational purposes and of internationally or regionally owned space segments (United Nations, United Nations Educational, Scientific and Cultural Organization and International Telecommunication Union);

(c) The feasibility of obtaining closer spacing of satellites in the geostationary orbit and their satisfactory coexistence, including a closer examination of techno-economic implications, particularly for developing countries, in order to ensure the most effective utilization of this orbit in the interest of all countries (United Nations, International Telecommunication Union and other organizations);

18. *Approves* the recommendations of the Committee on the Peaceful Uses of Outer Space concerning the procedures for carrying out these studies;

19. *Decides* that the United Nations should bear the travel and per diem expenses of the experts to be appointed by the Secretary-General for carrying out the studies referred to in paragraph 17 above;

20. *Affirms* that the interference that satellite systems to be newly established may cause to systems already registered with the International Telecommunication Union shall not exceed the limits specified in the relevant provision of the International Telecommunication Union radio regulations applicable to space services;

21. *Requests* all organs, organizations and bodies of the United Nations system and other intergovernmental organizations working in the field of outer space or on space-related matters to co-operate in the implementation of the recommendations of the Conference;

22. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the recommendations of the Conference;

23. *Requests* the specialized agencies and other international organizations to continue and, where appropriate, enhance their co-operation with the Committee on the Peaceful Uses of Outer Space and to provide it with progress reports on their work relating to the peaceful uses of outer space;

24. *Takes note* of the invitation by the Government of Austria to hold the twenty-seventh session of the Committee on the Peaceful Uses of Outer Space at Vienna;

25. *Decides* to convene the twenty-seventh session of the Committee on the Peaceful Uses of Outer Space at Vienna from 11 to 22 June 1984;

26. *Requests* the Committee on the Peaceful Uses of Outer Space to continue its work, in accordance with the

<sup>14</sup> A/AC.105/287, annex II.

<sup>15</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Dis-

armament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).

present resolution, to consider, as appropriate, new projects in outer space activities and to submit a report to the General Assembly at its thirty-ninth session, including its views on which subjects should be studied in the future.

*98th plenary meeting  
15 December 1983*

### **38/81. Comprehensive review of the whole question of peace-keeping operations in all their aspects**

*The General Assembly,*

*Recalling* its resolutions 1874 (S-IV) of 27 June 1963, 2006 (XIX) of 18 February 1965, 2053 A (XX) of 15 December 1965, 2249 (S-V) of 23 May 1967, 2308 (XXII) of 13 December 1967, 2451 (XXIII) of 19 December 1968, 2670 (XXV) of 8 December 1970, 2835 (XXVI) of 17 December 1971, 2965 (XXVII) of 13 December 1972, 3091 (XXVIII) of 7 December 1973, 3239 (XXIX) of 29 November 1974, 3457 (XXX) of 10 December 1975, 31/105 of 15 December 1976, 32/106 of 15 December 1977, 33/114 of 18 December 1978, 34/53 of 23 November 1979, 35/121 of 11 December 1980, 36/37 of 18 November 1981 and 37/93 of 10 December 1982,

*Taking account* of the views expressed and issues raised on the question of peace-keeping during the debate on the item,

*Reaffirming* the primary responsibility of the Security Council for the maintenance of international peace and security,

*Conscious* of the vital role played by United Nations peace-keeping forces in support of decisions of the Security Council in discharging its primary responsibility in accordance with the Charter of the United Nations,

*Recognizing* that the presence of United Nations peace-keeping forces authorized by the Security Council in conflict areas demonstrates the common concern of Members of the United Nations in the preservation of stability and easing of tension in those areas,

*Aware* of the extremely difficult financial situation of the United Nations peace-keeping forces in the light of the heavy burden incurred by troop contributors, especially those from developing countries,

*Stressing* the collective responsibility of Member States, in accordance with the Charter, to share equitably the financial burdens of such operations established by the Security Council, which should continue to be conducted with maximum efficiency and economy,

*Urging*, at the same time, that other areas of co-operation with and support for United Nations peace-keeping forces should be encouraged,

*Recognizing* the need to enhance the efficiency and effectiveness of United Nations peace-keeping forces,

*Commending* the Secretary-General for the way he is carrying out peace-keeping operations of the United Nations decided upon by the Security Council,

*Convinced* that the importance of the issue of United Nations peace-keeping is such that the United Nations should continue to work for a comprehensive review of the whole question of peace-keeping operations in all their aspects,

*Taking note* of the report of the Special Committee on Peace-keeping Operations,<sup>16</sup>

1. *Expresses its conviction* that peace-keeping operations of the United Nations, conducted with the consent of the host country and with respect for its sovereignty and territorial integrity, in accordance with the Charter of the United Nations, are an essential function of the United Nations, though not a substitute for the peaceful settlement of disputes and therefore of a temporary nature;

2. *Urges* all concerned to co-operate fully in the implementation of United Nations peace-keeping operations;

3. *Reaffirms and renews* the mandate given to the Special Committee on Peace-keeping Operations by relevant resolutions of the General Assembly;

4. *Expresses concern* about the difficult financial situation of United Nations peace-keeping operations;

5. *Urges again* the Special Committee on Peace-keeping Operations, in accordance with its mandate, to renew its efforts to work towards the completion of agreed guidelines that will govern the conduct of United Nations peace-keeping operations in accordance with the Charter of the United Nations, and to devote further attention to specific questions relating to the practical implementation of peace-keeping operations;

6. *Requests* the Special Committee on Peace-keeping Operations to submit a status report on its present situation, to determine the areas of possible progress and other areas where progress would be difficult to achieve or is still pending, and to consider proposals to reactivate and rationalize its work;

7. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects".

*98th plenary meeting  
15 December 1983*

### **38/82. Questions relating to information**

A

*The General Assembly,*

*Recalling* its resolutions 34/181 and 34/182 of 18 December 1979, 35/201 of 16 December 1980, 36/149 A of 16 December 1981 and 37/94 A and B of 10 December 1982,

*Stressing anew* the importance of the establishment of a new world information and communication order and, in this regard, recalling the relevant provisions of the Political Declaration of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>17</sup> as well as the relevant provisions of the Final Declaration of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979,<sup>18</sup> of the Declaration of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at New Delhi from 9 to 13 February 1981,<sup>19</sup> and of the fifth and sixth meetings of the Intergovernmental Council of Ministers of Information of Non-Aligned Countries, held at Georgetown in May 1981 and at Valletta in June 1982,

*Recalling* the relevant resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981,<sup>20</sup>

<sup>16</sup> A/38/381.

<sup>17</sup> See A/38/132-S/15675 and Corr.1 and 2, annex, sect. I, para. 173.

<sup>18</sup> See A/34/542, annex, sect. I, paras. 280-299.

<sup>19</sup> See A/36/116 and Corr.1, annex.

<sup>20</sup> See A/36/534, annex II.

Recalling the relevant provisions of the Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975, and those of the Concluding Document of the meeting of representatives of the participating States of the Conference on Security and Co-operation in Europe, held at Madrid from 11 November 1980 to 9 September 1983,

Recalling, on the occasion of the thirty-fifth anniversary of the Universal Declaration of Human Rights,<sup>21</sup> its article 19, which provides that everyone has the right to freedom of opinion and expression and that this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers, and article 29, which stipulates that these rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations,

Recalling also resolutions 4/19 and 4/21 adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-first session, held at Belgrade from 23 September to 28 October 1980,<sup>22</sup> and resolution 2/03 adopted by the General Conference at its fourth extraordinary session, held in Paris from 23 November to 3 December 1982,<sup>23</sup>

Recalling also the relevant provisions of the Declaration on the Preparation of Societies for Life in Peace,<sup>24</sup>

Recalling further the relevant resolutions adopted by the Council of Ministers of Information of the members of the League of Arab States at its nineteenth regular session, held at Tunis on 9 and 10 October 1983,

Considering that international co-operation in the field of communication development should take place on the basis of equality, justice, mutual advantage and the principles of international law,

Conscious that, in order progressively to remedy existing imbalances, it is essential to strengthen and intensify the development of infrastructures, networks and resources in the communication field and thus encourage a wider and better balanced dissemination of information,

Conscious that the development of communication infrastructures, including national and regional capacity for indigenous message production and dissemination, is one of the important factors of genuine participation by a large majority of developing countries in international exchanges,

Emphasizing its full support for the International Programme for the Development of Communication of the United Nations Educational, Scientific and Cultural Organization, which constitutes an important step in the development of the infrastructures of communication in the developing countries and the establishment of a new world information and communication order,

Recognizing the central role of the United Nations Educational, Scientific and Cultural Organization in the field of information and communication within its mandate, as well as the progress accomplished by that organization in that field,

1. Takes note with satisfaction of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of the International Programme for the Development of Communication and the establishment of a new world information and communication order, and on the impact

of current technological developments and practices and their application in the communication and information sector;<sup>25</sup>

2. Underlines, on the occasion of the fifth anniversary of the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, *Apartheid* and Incitement to War,<sup>26</sup> the importance of efforts made so far for its implementation;

3. Again calls upon all Member States and all organizations of the United Nations system, international, governmental and non-governmental organizations and professional organizations in the field of communication to exert every effort to make better known through all means at their disposal the issues underlying the demand for the development of communication capacities in developing countries as a step towards the establishment of a new world information and communication order;

4. Considers that the International Programme for the Development of Communication represents a significant step towards the establishment of a new world information and communication order and welcomes the decisions adopted by the Intergovernmental Council of the Programme at its fourth session, held at Tashkent, Union of Soviet Socialist Republics, from 5 to 12 September 1983;<sup>27</sup>

5. Notes with satisfaction the co-operation existing between the United Nations, the United Nations Educational, Scientific and Cultural Organization and all other organizations of the United Nations system, particularly the International Telecommunication Union, the Food and Agriculture Organization of the United Nations and the Universal Postal Union, whose projects have been approved by the Intergovernmental Council of the Programme;

6. Expresses its appreciation to all Member States that have made or pledged a contribution towards the implementation of the Programme;

7. Again calls upon Member States and organizations and bodies of the United Nations system as well as other international governmental and non-governmental organizations and concerned public and private enterprises to respond to the appeals of the Director-General of the United Nations Educational, Scientific and Cultural Organization to contribute to the Programme by making greater financial resources available, as well as more staff, equipment, technologies and training resources;

8. Notes with satisfaction the progress made under the Global Satellite Project for Dissemination and Exchange of Information, executed by the United Nations Educational, Scientific and Cultural Organization in co-operation with INTELSAT and INTERSPUTNIK and with the regional radio broadcasting unions in Africa, Asia, Europe and the Arab States and supported by the Programme;

9. Notes that very few countries have responded positively to resolution 4/22 concerning the reduction of telecommunication tariffs for news exchanges, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-first session,<sup>22</sup> and calls once again upon Member States to respond positively and effectively to that resolution;

<sup>21</sup> Resolution 217 A (III).

<sup>22</sup> See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-first Session*, vol. 1, *Resolutions*, sect. III.

<sup>23</sup> *Ibid.*, *Fourth Extraordinary Session*, vol. 1 and corrigendum, *Resolutions*, sect. II.

<sup>24</sup> Resolution 33/73.

<sup>25</sup> A/38/457, annex.

<sup>26</sup> United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twentieth Session*, vol. 1, *Resolutions*, pp. 100-104.

<sup>27</sup> See A/38/457, annex, sect. I.A.

10. *Reaffirms* its strong support for the United Nations Educational, Scientific and Cultural Organization and its efforts to establish a new world information and communication order, as well as for that organization's second medium-term plan for 1984-1989 and its stimulation of research with a view to meeting the challenges of accelerated technological development and the increasing role of communication in societies and cultures;

11. *Requests* the Director-General of the United Nations Educational, Scientific and Cultural Organization to continue his efforts in the information and communication field and to submit to the General Assembly, at its thirty-ninth session, a detailed report on the application of the Programme and the activities relating to the establishment of a new world information and communication order and, in co-operation with the International Telecommunication Union, on the effects of the accelerated development of communication technologies on societies and cultures.

*98th plenary meeting  
15 December 1983*

## B

### *The General Assembly,*

*Recalling* its resolutions 3535 (XXX) of 17 December 1975, 31/139 of 16 December 1976, 33/115 A to C of 18 December 1978, 34/181 and 34/182 of 18 December 1979, 35/201 of 16 December 1980, 36/149 B of 16 December 1981 and 37/94 B of 10 December 1982 on questions relating to information,

*Recalling* article 19 of the Universal Declaration of Human Rights,<sup>21</sup> which provides that everyone has the right to freedom of opinion and expression and that this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers, and article 29, which stipulates that these rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations,

*Recalling also* articles 19 and 20 of the International Covenant on Civil and Political Rights,<sup>28</sup>

*Recalling* the relevant provisions of the Political Declaration of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>17</sup> in which the importance of the establishment of a new world information and communication order was stressed anew, as well as the relevant provisions of the Final Declaration of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979,<sup>18</sup> of the Declaration of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at New Delhi from 9 to 13 February 1981,<sup>19</sup> and of the fifth and sixth meetings of the Intergovernmental Council of Ministers of Information of Non-Aligned Countries, held at Georgetown in May 1981 and at Valletta in June 1982,

*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* the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, *Apartheid* and Incitement to War,<sup>26</sup> as well as the relevant resolutions on information and mass communications adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its nineteenth, twentieth, twenty-first and twenty-second sessions,

*Recalling* the relevant provisions of the Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975, and those of the Concluding Document of the Madrid meeting of representatives of the participating States of the Conference on Security and Co-operation in Europe, held from 11 November 1980 to 9 September 1983,

*Recalling also* the relevant provisions of the Declaration on the Preparation of Societies for Life in Peace,<sup>24</sup>

*Taking note* of that part of the Programme of Action on Namibia of the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April 1983, relevant to the activities requested of the Department of Public Information to develop and further strengthen the dissemination of information regarding the struggle for independence of the people of Namibia, with a view to reaching the broadest possible public by means of a more systematic and better co-ordinated information campaign,<sup>29</sup>

*Taking note* of the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, unanimously adopted by the International Conference on the Question of Palestine,<sup>30</sup> in particular section II.D of the Programme of Action,

*Conscious* of the need for all countries, the United Nations system as a whole and all others concerned, to collaborate in the establishment of a new world information and communication order based, *inter alia*, on the free circulation and wider and better balanced dissemination of information, guaranteeing the diversity of sources of information and free access to information, and, in particular, the urgent need to change the dependent status of the developing countries in the field of information and communication, as the principle of sovereign equality among nations extends also to this field, and intended also to strengthen peace and international understanding, enabling all persons to participate effectively in political, economic, social and cultural life and promoting understanding and friendship among all nations and human rights,

*Reaffirming* that the establishment of a new world information and communication order is linked to the new international economic order and is an integral part of the international development process,

*Emphasizing* the important role that public information plays in promoting understanding of and support for the establishment of the new international economic order and international co-operation for development,

*Emphasizing* the role that public information plays in promoting support for universal disarmament and in increasing awareness of the relationship between disarmament and development among as broad a public as possible.

<sup>28</sup> Resolution 2200 A (XXI), annex.

<sup>29</sup> Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983 (A/CONF.120/13), para. 238.

<sup>30</sup> Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.1.21), chap. I, sects. A and B.

*Reaffirming* the primary role which the General Assembly is to play in elaborating, co-ordinating and harmonizing United Nations policies and activities in the field of information and recognizing the central and important role of the United Nations Educational, Scientific and Cultural Organization in the field of information and communication,

*Taking note* of the statement by the Under-Secretary-General for Public Information, on 1 November 1983,<sup>31</sup> on the question of equitable geographical balance and professional requirements in reinforcing the staff of the Department of Public Information,

*Taking note* of its resolution 37/234 of 21 December 1982 entitled "Programme planning",

*Emphasizing* the complementarity of the activities in the field of information and communication and the need to strengthen co-operation and co-ordination between the organs, organizations and bodies of the United Nations system that deal with different aspects of information and communication,

*Emphasizing* its full support for the International Programme for the Development of Communication, which constitutes an important step in the development of the infrastructures of communication in the developing countries,

*Conscious* that the transfer of technology to developing countries is vital for the acceleration of the establishment of a new world information and communication order based on justice, freedom and equity,

*Taking note* of its resolution 37/92 of 10 December 1982 entitled "Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting",

*Expressing its satisfaction* with the work of the Committee on Information as reflected in its report to the General Assembly at its thirty-eighth session,<sup>32</sup>

*Expressing its appreciation* to the Joint United Nations Information Committee for its efforts towards improving co-ordination of the public information activities of the various organizations of the United Nations system,

*Taking note with satisfaction* of the report of the Secretary-General on questions relating to information,<sup>33</sup>

*Also taking note with satisfaction* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization,<sup>34</sup>

1. *Approves* the report of the Committee on Information<sup>32</sup> and all the recommendations contained in paragraph 94 A, annexed to the present resolution, affirms the requests and appeals reproduced therein and urges their full implementation;

2. *Reaffirms* the mandate given to the Committee on Information by the General Assembly in its resolution 34/182;

3. *Requests* the Committee on Information, keeping in mind its mandate, the essential tasks of which are to continue to examine the policies and activities of the Department of Public Information of the Secretariat, to continue to promote the establishment of a new, more just and effective world information and communication order and to continue to seek the co-operation and active participation of all organizations of the United Nations system, particularly the United Nations Educational, Scientific and Cultural Organization and the International Telecommu-

nication Union, while taking all possible steps to avoid any overlapping of activities on this subject;

4. *Reaffirms* its strong support for the United Nations Educational, Scientific and Cultural Organization and for its efforts to promote the establishment of a new world information and communication order;

5. *Reiterates its appeal* to Member States, to the information and communication media, both public and private, as well as to non-governmental organizations, to disseminate more widely objective and better balanced information about the activities of the United Nations and, *inter alia*, about the efforts of the developing countries towards their economic, social and cultural progress and about the efforts of the international community to achieve international social justice and economic development, international peace and security and the progressive elimination of international inequities and tensions, such dissemination being aimed at achieving a more comprehensive and realistic image of the activities and potential of the United Nations system in all its purposes and endeavours;

6. *Requests* that the Joint United Nations Information Committee, as the essential instrument for inter-agency co-ordination and co-operation in the field of public information, be strengthened and made more effective and that its secretariat elaborate new methods of work and longer-term indicative planning and joint action, especially in the promotion of a new world information and communication order;

7. *Reaffirms* the importance of the rapidly increasing role of United Nations public information programmes in fostering public understanding and support of United Nations activities and requests the Secretary-General to continue to review the current activities of the Department of Public Information with a view to ensuring a better and more efficient use of its available resources in co-operation, as needed, with the Joint Inspection Unit;

8. *Requests* the Department of Public Information to contribute more effectively, through its training programmes, to the development of human, managerial and technical resources of the mass media from developing countries;

9. *Requests* the Secretary-General to take urgent steps, within the next programme budget, to enable the Caribbean Unit in the Radio Service of the Department of Public Information to begin a meaningful work programme, as outlined in the relevant report of the Secretary-General,<sup>34</sup> in particular by the introduction of full programming in French/Creole and limited programming in Dutch/Papiamentu;

10. *Requests* the Secretary-General to take the necessary measures to ensure that regional television news magazines are produced for national broadcasting organizations which request them and undertake to broadcast them on a regular basis, taking into account the priorities set by the General Assembly;

11. *Invites* the Department of Public Information, in view of the decision of the Government of Indonesia, to reopen, as a matter of priority, the United Nations Information Centre at Jakarta;

12. *Invites* the Department of Public Information to give a favourable reply to the request of the Government of the United Republic of Cameroon that the United Nations Information Centre at Yaoundé be strengthened and that a full-time director be appointed;

<sup>31</sup> *Official Records of the General Assembly, Thirty-eighth Session, Special Political Committee, 17th meeting, paras. 49-58.*

<sup>32</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 21 (A/38/21 and Corr.1 and 2).*

<sup>33</sup> A/38/387 and Add.1.

<sup>34</sup> A/AC.198/65.

13. *Invites* the Department of Public Information to give a favourable reply to the request of the Government of the Republic of Burundi that the United Nations Information Centre at Bujumbura be strengthened and that a full-time director be appointed;

14. *Invites* the Commission on Transnational Corporations, when exchanging information with the Committee on Information, as encouraged by recommendation 21 of the Committee annexed to the present resolution, to draw the attention of the Committee to documents produced by the Secretariat relevant to the Committee's mandate, in particular those of the United Nations Centre on Transnational Corporations, when they have been considered by the Commission, together with the Commission's comments on them, provided that care is taken to avoid overlapping or duplication of work between the two intergovernmental bodies;

15. *Requests* the Department of Public Information to cover adequately policies and practices which violate the principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>35</sup> wherever they occur, especially those policies and practices which frustrate the attainment and exercise of the inalienable and national legitimate rights of the Palestinian people in accordance with the relevant resolutions of the United Nations;

16. *Expresses its satisfaction* with the work of the Round Table on a New World Information and Communication Order organized jointly by the United Nations and the United Nations Educational, Scientific and Cultural Organization, held at Innsbruck, Austria, from 14 to 19 September 1983, and its subsequent report;<sup>36</sup>

17. *Requests* the Secretary-General to ensure that the Department of Public Information, jointly with the United Nations Educational, Scientific and Cultural Organization, convenes a second round table in 1985 in order to follow up in more detail the progress made towards the establishment of a new world information and communication order, in which professional journalists, decision-makers and researchers in the various disciplines concerned, representatives of the international media and professional organizations and associations would participate;

18. *Requests* the Secretary-General to report to the Committee on Information, at its substantive session in 1984, on the implementation of all the recommendations contained in the Committee's report;

19. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution and, in particular, on the implementation of all the recommendations contained in the annex to the present resolution;

20. *Requests* the Committee on Information to report to the General Assembly at its thirty-ninth session;

21. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Questions relating to information".

*98th plenary meeting  
15 December 1983*

#### ANNEX

##### Recommendations of the Committee on Information

1. The forty-three recommendations of the Committee on Information approved by the General Assembly in resolution 37/94 B of 10 December 1982, as well as all provisions of the resolution, are reiterated. Those rec-

ommendations pending implementation should be implemented in full, taking into account the views expressed by delegations at the 100th plenary meeting of the thirty-seventh session of the Assembly on 10 December 1982.

2. The mandate of the Committee on Information should be renewed as set forth in General Assembly resolution 34/182 of 18 December 1979 and reaffirmed in Assembly resolutions 35/201 of 16 December 1980, 36/149 of 16 December 1981 and 37/94 of 10 December 1982.

PROMOTION OF THE ESTABLISHMENT OF A NEW, MORE JUST AND MORE EFFECTIVE WORLD INFORMATION AND COMMUNICATION ORDER INTENDED TO STRENGTHEN PEACE AND INTERNATIONAL UNDERSTANDING AND BASED ON THE FREE CIRCULATION AND WIDER AND BETTER BALANCED DISSEMINATION OF INFORMATION

3. All countries, the United Nations system as a whole, and all others concerned, should collaborate in the establishment of a new world information and communication order based, *inter alia*, on the free circulation and wider and better balanced dissemination of information, guaranteeing the diversity of sources of information and free access to information, and, in particular, the urgent need to change the dependent status of the developing countries in the field of information and communication as the principle of sovereign equality among nations extends also to this field, and intended also to strengthen peace and international understanding, enabling all persons to participate effectively in political, economic, social and cultural life, and promoting understanding and friendship among all nations and human rights.

4. An appeal should be addressed to the international media to obtain their support for the efforts of the international community towards global development and, in particular, for the efforts of the developing countries for their own economic, social and cultural progress.

5. An appeal should be addressed to the whole United Nations system to co-operate in a concerted manner, through its information services, in promoting the development activities of the United Nations, in particular the improvement of the conditions of the lives of the people of the developing countries.

6. Such appeals should be aimed at achieving a more comprehensive and realistic image of the activities and potential of the United Nations system, in all its purposes and endeavours, as laid down in the Charter of the United Nations.

7. The need should be noted for the creation of a climate of confidence in relations among States as a means of easing tension and, in this context, an appeal should be addressed to all States and mass media to help promote the purposes of strengthening peace and understanding.

8. Reaffirming the primary role which the General Assembly is to play in elaborating, co-ordinating and harmonizing United Nations policies and activities in the field of information and recognizing the central and important role of the United Nations Educational, Scientific and Cultural Organization in the field of information and communication, the co-operation between that organization and the United Nations in promoting the establishment of a new world information and communication order should take more regular forms, especially at the working level, through which the contribution of the Department of Public Information to the efforts of the United Nations Educational, Scientific and Cultural Organization should be maximized.

9. The Department of Public Information should disseminate as widely as possible information on the activities of the United Nations Educational, Scientific and Cultural Organization in the establishment of a new world information and communication order and on the work of the Committee on Information in that field.

10. The Committee on Information, noting the valuable effort of the United Nations Educational, Scientific and Cultural Organization in the promotion of a new world information and communication order, recommends that the Department of Public Information take steps to avoid any overlapping of its activities on this subject with those of the United Nations Educational, Scientific and Cultural Organization, while stressing at the same time the ever-growing significance of the close working co-operation between the United Nations and the latter organization.

11. All countries, the United Nations system as a whole, and others concerned, should be called upon to give the United Nations Educational, Scientific and Cultural Organization adequate support and assistance in the field of information and communication. The fifth anniversary of the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to

<sup>35</sup> United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

<sup>36</sup> A/AC.198/70, annex.

the Promotion of Human Rights and to Countering Racialism, *Apartheid* and Incitement to War,<sup>26</sup> should be marked by the General Assembly.

12. The Secretary-General should be requested to present to the General Assembly at its thirty-eighth session the report of the Round Table on a New World Information and Communication Order, held at Innsbruck, Austria, from 14 to 19 September 1983.<sup>36</sup>

13. An appeal should be addressed to the whole United Nations system and the developed countries to co-operate in a concerted manner towards strengthening the information and communication infrastructures of the developing countries in accordance with the priorities attached to such areas by the developing countries. In this regard, full support for the International Programme for Development of Communication of the United Nations Educational, Scientific and Cultural Organization, which constitutes an important step in the development of these infrastructures, should be emphasized.

14. The Department of Public Information should further strengthen its co-operation with the Pool of Non-Aligned News Agencies, as well as with regional news agencies of developing countries, as this co-operation constitutes a concrete step towards a more just and equitable world flow of information, thus contributing to the establishment of a new world information and communication order.

15. The United Nations system, particularly the United Nations Educational, Scientific and Cultural Organization, should aim at the provision of all possible support and assistance to the developing countries with regard to their interests and needs in the field of information and to actions already adopted within the United Nations system, including, in particular:

(a) Assistance to developing countries in training journalists and technical personnel and in setting up appropriate educational institutions and research facilities;

(b) The granting of favourable conditions to provide developing countries with access to such communication technology as is requisite for the establishment of a national information and communication system and correspondent with the specific situation of the country concerned;

(c) The creation of conditions that will gradually enable the developing countries to produce the communication technology suited to their national needs, as well as the necessary programme material, specifically for radio and television broadcasting, by using their own resources;

(d) Assistance in establishing telecommunication links at subregional, regional and interregional levels, especially among developing countries, free from any kind of conditions.

16. All the information activities of the Department of Public Information should be guided by, and carried out in conformity with, the principles of the Charter of the United Nations and the aspiration for a new world information and communication order, as well as conform to the consensus reached among States in resolutions 4/19, 4/21 and 4/22 adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-first session.<sup>22</sup>

17. The Secretary-General should be requested to ensure that the activities of the Department of Public Information, as the focal point of the public information tasks of the United Nations, should be strengthened, keeping in view the principles of the Charter of the United Nations and along the lines established in the pertinent resolutions of the General Assembly and the recommendations of the Committee on Information, to ensure a more coherent coverage of, and a better knowledge about, the United Nations and its work, especially in its priority areas, such as those stated in section III, paragraph 1, of Assembly resolution 35/201, including international peace and security, disarmament, peace-keeping and peace-making operations, decolonization, the promotion of human rights, the struggle against *apartheid* and racial discrimination, economic, social and development issues, the integration of women in the struggle for peace and development, the establishment of the new international economic order and of a new world information and communication order, the work of the United Nations Council for Namibia and programmes on women and youth.

CONTINUATION OF EXAMINATION OF UNITED NATIONS PUBLIC INFORMATION POLICIES AND ACTIVITIES, IN THE LIGHT OF THE EVOLUTION OF INTERNATIONAL RELATIONS, PARTICULARLY DURING THE PAST TWO DECADES, AND OF THE IMPERATIVES OF THE ESTABLISHMENT OF THE NEW INTERNATIONAL ECONOMIC ORDER AND OF A NEW WORLD INFORMATION AND COMMUNICATION ORDER

18. The Department of Public Information should ensure that the daily dispatches of the Pool of Non-Aligned News Agencies which it

receives are appropriately utilized in the performance of the public information tasks of the United Nations.

(a) With a view to further promotion and development of functional and mutually beneficial co-operation between the Department and the Pool, the existing arrangements in the Department for the conduct of this co-operation should be established on a more regular basis;

(b) In view of the successful joint coverage by the Pool of important conferences and other events within the United Nations system, this practice should be continued and further strengthened;

(c) The Department should consider the possibility of utilizing the dispatches received from the Pool to establish a data base on the information and communication facilities in the non-aligned countries.

19. In connection with the training programme for journalists and broadcasters from developing countries that the Department of Public Information organizes every year, the possibility should be considered of allocating the last week of the programme for a visit by them to one of the developing countries for the purpose of acquainting themselves with the ways in which information on the United Nations is received and utilized.

20. The Secretary-General should be requested to make available to the Committee on Information, at its substantive session in 1984, a report on the outcome of the activities conducted by the International Telecommunication Union with regard to the World Communications Year.

21. The exchange of information between the Committee on Information and the Commission on Transnational Corporations in matters pertaining to the mandate of the Committee should be encouraged.

22. The Secretary-General should be requested to submit to the General Assembly at its thirty-eighth session the final report on the acquisition of a United Nations communications satellite, in the manner outlined in paragraph 20 of Assembly resolution 37/94 B.

23. The Secretary-General should be requested to implement fully the request, in paragraph 14 of General Assembly resolution 36/149 B, that present United Nations short-wave broadcasts over rented transmitters should be placed on a daily schedule throughout the year, to the extent that this can be accomplished through more effective utilization of existing resources.

24. The Secretary-General should be requested to continue the co-operation between the Department of Public Information and the Union of National Radio and Television Organizations of Africa, as well as with radio stations which are members of that Union, in order to broadcast United Nations radio programmes on those radio stations, and further requests the Secretary-General to co-operate with the national radio broadcasting organizations in Africa for wider broadcasting of United Nations radio programmes.

25. The Secretary-General should be requested to present to the substantive session of the Committee on Information in 1984 a comprehensive report on the viability of a world-wide United Nations short-wave network, taking into account the views expressed at the fifth substantive session of the Committee.

26. The Secretary-General should be requested to implement fully the proposals contained in his report regarding programming in the Portuguese language in the African Unit of the Radio Service<sup>37</sup> and to take immediate steps for the strengthening of programming in the French language.

27. The Secretary-General should be requested to maintain the functions of the Middle East/Arabic Unit as the producer of Arabic television and radio programmes, to strengthen and expand this unit through the redeployment of existing resources to enable it to function in an effective manner, and to report to the Committee on Information at its substantive session in 1984 on the measures taken in implementation of this recommendation.

28. In view of the importance of United Nations broadcasting for the European region, steps should be taken to maintain and enhance the functions of the European Unit in the Radio Service through redeployment of existing resources.

29. The inclusion of Bengali and Indonesian among the languages of the Asian Unit of the Radio Service for the purpose of undertaking programming at a meaningful level, as approved in 1982, should be implemented in full and Bahasa Malaysia (Malay) should also be included among the languages of the unit through redeployment of available resources.

30. Whereas the French Language Production Section of the Press and Publications Division hardly has available the means to provide press releases in sufficient numbers to meet the needs of the numerous delegations from all geographic areas wishing to use French as their working lan-

<sup>37</sup> A/AC.198/64.

guage, the Committee on Information requests that the Secretary-General should provide that Section with the appropriate means through better and more equitable use of available resources. The Committee recommends to the Department of Public Information that it make appropriate use of the official languages of the General Assembly in documents and audiovisual materials, in view of the need to disseminate more broadly and effectively information on the activities of the United Nations to the greatest cross-section of the public, using the greatest number of communications media.

31. United Nations information centres should continue to assist press and information media in their respective countries, and, *inter alia*, promote the establishment of a new world information and communication order.

32. While co-operation between the Department of Public Information and the United Nations Development Programme in the field should be promoted to the maximum extent, it is also important to bear in mind the intrinsic functions of United Nations information centres as distinct from those of United Nations development activities. The United Nations information centres should redouble their efforts to publicize the activities and achievements of operational activities for development, including those of the Programme, taking into account the priorities determined by the General Assembly.

33. In countries where the size, population, the state of media and non-governmental and other organizations, or the role being played by their Governments in United Nations affairs warrant it, separate United Nations information centres should be established, as and when resources become available. In other cases, the resident representatives or resident co-ordinators of the United Nations Development Programme may be entrusted with being acting directors of United Nations information centres, provided that they are periodically briefed and evaluated by the Department of Public Information with regard to their information tasks and provided that appropriate local staff and equipment can be allocated to them within available resources.

34. The Committee on Information, having considered the report of the Secretary-General on the study on ways and means to enhance the role of the United Nations information centres within the structure of the Department of Public Information<sup>38</sup> recommends that the effectiveness of United Nations information centres should continue to be improved:

(a) Through the continued review of the extent of decentralization which can be achieved within the overall guidance of the Department of Public Information;

(b) Through better training of centre directors and their personnel;

(c) Through an improved feedback and reporting system;

(d) Where appropriate, through reallocation of available resources for local reproduction and other necessary expenditures;

(e) Through appointing the best qualified persons with professional experience from all different geographical regions to the posts of centre directors, in view of the increased importance of the work of the United Nations information centres network, taking into account Article 101, paragraph 3, of the Charter of the United Nations;

(f) Through filling existing vacancies at the level of information centre director without further delay, in order to assure the continuation of the work of the centres under the necessary professional guidance of the Department of Public Information;

(g) Through enabling the External Relations Division of the Department of Public Information to fulfil its important role of management, guidance, supervision and monitoring of United Nations information centres in order to ensure that the universal character of the United Nations and the manifold mandate of the Department be duly reflected in the work of the information centres;

(h) Through strengthening the capacity of and improving the services rendered by the centres within the existing resources of the Department of Public Information, so that the centres can play their indispensable role of fostering an informed public opinion about the United Nations throughout the world.

35. The Department of Public Information should focus on, and give wider coverage to, economic, social and development activities throughout the United Nations system, with the aim of achieving a more comprehensive image of the activities and potential of the United Nations system, taking into account the priorities set by the General Assembly. The United Nations information centres, among others, should play an important role in this regard. The Department of Public Information should encourage the organization of round-table discussions between chief editors for press, radio and television services of different countries.

36. The Department of Public Information should promote an informed understanding of the work of the United Nations in the area delineated in General Assembly resolutions 34/146 of 17 December 1979, 36/109 of 10 December 1981 and 37/108 of 16 December 1982.

37. The Committee on Information takes note with appreciation of the report of the Secretary-General on the study on ways and means to enhance the role of the United Nations information centres within the structure of the Department of Public Information.<sup>38</sup> The Secretary-General should be requested to submit to the Committee at its substantive session in 1984 a detailed report containing concrete proposals in respect of the suggestions presented in paragraphs 44 to 46 of the report.

38. The Secretary-General should be requested to ensure that United Nations information centres orient their activities to disseminate information on questions according to the mandates and priorities of the Department of Public Information established by the General Assembly.

39. Urgent steps should be taken to ensure that the United Nations Information Service at Vienna give, as a matter of priority, adequate service in the German language in order to act as information centre for Austria and the Federal Republic of Germany. Such steps, which are to be taken within existing resources, may involve redeployment of posts, including those originally assigned to the United Nations Industrial Development Organization-United Nations Information Service. The Committee should be informed about the implementation of this recommendation at its substantive session in 1984.

40. Taking into account the request of the Government of Nicaragua for the opening of a United Nations information centre at Managua, the Secretary-General should be requested to take the appropriate steps for the prompt establishment of the centre, through the redeployment of existing resources.

41. The United Nations information centres should be requested to intensify direct and systematic communication exchange with local information and educational communities in a mutually beneficial way, especially in areas of particular interest to host countries.

42. A detailed and well documented factual summary account of the coverage by widely representative world media of developments affecting the Palestinian people from June to December 1982, should be prepared, within existing resources, and be submitted to the General Assembly at its thirty-eighth session.

43. The Committee on Information, taking note with appreciation of the reports of the Secretary-General on the development of systematic evaluation procedures for the activities of the Department of Public Information<sup>39</sup> and on the in-depth evaluation of the work of the Department of Public Information,<sup>40</sup> encourages the Secretary-General to continue his efforts to develop a system for monitoring and evaluating the effectiveness of the activities of the Department, particularly in the priority areas determined by the General Assembly. This systematic evaluation process should be pursued and a progress report should be submitted to the Committee at its substantive session in 1984. The Committee looks forward to receiving in due course the progress report on the implementation of decisions taken on the basis of the Secretary-General's report<sup>40</sup> which is to be presented to the Committee for Programme and Co-ordination at its twenty-sixth session.

44. Future reports of the Department of Public Information to the Committee on Information and to the General Assembly, in particular on new programmes or on the expansion of existing programmes, should contain:

(a) More adequate information on the output of the Department in respect of each topic included in its work programme, which forms the basis of its programme budget;

(b) The costs of the activities undertaken in respect of each topic;

(c) More adequate information on target audiences, end-use of the Department's products and an analysis of feed-back data received by the Department;

(d) The Department's evaluation of the effectiveness of its different programmes and activities;

(e) A statement detailing the priority level which the Secretary-General has attached to current or future activities of the Department, in documents dealing with such activities.

45. The Committee on Information notes the steps taken by the Department of Public Information in redressing the imbalance in the staff of that Department, particularly in the Radio and Visual Services Division. The Department should continue to intensify its efforts to that end, and, until equitable geographical distribution is achieved, the Secretary-General

<sup>38</sup> A/AC.198/61.  
<sup>39</sup> A/AC.198/60.

<sup>40</sup> E/AC.51/1983/7.



should take urgent steps to increase the representation of under-represented groups of countries, in accordance with Article 101, paragraph 3, of the Charter of the United Nations and General Assembly resolutions 33/143, 35/201, 36/149 and 37/94 B; in this regard, the Secretary-General is requested to submit a report to the Committee on Information at its substantive session in 1984.

46. Member States should be called upon to make voluntary contributions to the United Nations Trust Fund for Economic and Social Information.

47. The General Assembly should take note of the report of the Secretary-General on various aspects of the regionalization of the Radio and Visual Services Division of the Department of Public Information<sup>41</sup> and examine it in the light of its resolutions 35/201 and 36/149 B.

48. The World Disarmament Campaign should give full consideration to the role of the mass media as the most effective way to promote in world public opinion a climate of understanding, confidence and co-operation conducive to peace and disarmament, the enhancement of human rights and development. Within the context of the World Disarmament Campaign and Disarmament Week, the Department of Public Information should fulfil the role assigned to it by the General Assembly by utilizing its expertise and resources in public information to ensure maximum effectiveness.

49. The quality, usefulness and coverage of the daily press releases and the weekly news summary issued by the Department of Public Information in all working languages should be further enhanced and improved in view of the important public information tasks which they can perform. The Department should continue to co-operate closely with and provide assistance to the United Nations Correspondents Association. Services provided at the Press Section of the Department of Public Information booth for the media and delegations should be improved.

50. The Committee recommends, in view of the importance of graphic presentation for a variety of public information activities, including posters, exhibits and publications, that the Secretary-General should consider redeploying a post of graphic designer from the Department of Conference Services to the Department of Public Information.

51. The role of the Department of Public Information, as defined by the General Assembly in several relevant resolutions, as the focal point for the formulation and implementation of information activities of the United Nations should be re-emphasized, and the Secretary-General should be requested to study the full implications of this matter and submit a report to the Committee on Information at its substantive session in 1984.

52. The operations of the Non-Governmental Liaison Services (Geneva and New York), as inter-agency projects reaching specific target audiences in the industrialized countries on international development issues, should be continued on a stable financial basis through United Nations participation in these services. The Committee further recommends that the Secretary-General should be requested to urge all the specialized agencies to make long-term contributions to the financing of these services, thereby stressing their inter-agency character.

53. The Department of Public Information and the United Nations Development Programme, as important elements of United Nations information and development activities, should be requested to co-operate more closely with each other, both at Headquarters and in the field, in order to concentrate their resources, avoid duplication and effectively foster the process of development.

54. The Joint United Nations Information Committee, as the essential instrument for inter-agency co-ordination and co-operation in the field of public information, should be enhanced and given more responsibility, thus improving its co-ordination and cost-benefit efficiency of the public information activities of the entire United Nations system.

55. The Joint United Nations Information Committee should continue to strengthen its activities in the fields of development education and development-support communications.

56. The recommendations contained in the report of the Joint United Nations Information Committee on public perceptions of the United Nations system<sup>42</sup> should be implemented. An appeal should be addressed to Governments and the mass media to transmit accurate information on major activities of the United Nations, especially those listed in Article I of the Charter of the United Nations.

57. The Joint United Nations Information Committee should continue to report on its programmes and activities to the Committee on Information for guidance and support.

58. Since *Development Forum* is the only inter-agency publication of the United Nations system which concentrates on development issues, the Secretary-General should continue, in accordance with pertinent resolutions of the General Assembly, to support its publication from the regular budget while intensifying his efforts to secure a sound and independent financial basis for its continued publication. All the specialized agencies and other organizations of the United Nations system should be urged to contribute to the financing of this system-wide publication, thereby recognizing its inter-agency character.

59. Having taken note of the report on the relocation of *Development Forum*, the Committee on Information recommends that the Secretary-General should be requested to ensure that *Development Forum* will retain its editorial policy of intellectual independence, thus enabling this publication to continue to serve as a world-wide forum in which diverse opinions on issues related to economic and social development can be freely expressed.

60. The Secretary-General should be requested to submit a report to the Committee on Information on the current status of financial arrangements for the publication of the *World Newspaper Supplement* project.

61. In view of the fact that, as is pointed out in the report of the Secretary-General on the in-depth evaluation of the work of the Department of Public Information,<sup>40</sup> the production of the *UN Chronicle* is administratively separate from its distribution and sales, thus adding to the problem of its wider and more effective dissemination, it is recommended that the Secretary-General should consider transferring the sales activity of the *UN Chronicle* to the Department of Public Information.

62. The importance of the Declaration on the Preparation of Societies for Life in Peace<sup>43</sup> should be noted and Member States called upon to implement it.

### 38/83. United Nations Relief and Works Agency for Palestine Refugees in the Near East

#### A

#### ASSISTANCE TO PALESTINE REFUGEES

*The General Assembly,*

Recalling its resolution 37/120 K of 16 December 1982 and all previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup>

1. *Notes with deep regret* that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern;

2. *Expresses its thanks* to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. *Reiterates its request* that the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East should be relocated to its former site within its area of operations as soon as practicable;

<sup>41</sup> A/AC.198/62.

<sup>42</sup> See A/AC.198/68.

<sup>43</sup> Resolution 33/73.

<sup>44</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 13 (A/38/13 and Corr.1).

4. *Notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III)<sup>45</sup> and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 October 1984;

5. *Directs attention* to the continuing seriousness of the financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as outlined in the report of the Commissioner-General;

6. *Notes with profound concern* that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the United Nations Relief and Works Agency for Palestine Refugees in the Near East is still insufficient to cover essential budget requirements in the present year and that, at currently foreseen levels of giving, deficits will recur each year;

7. *Calls upon* all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the budgetary deficit projected in the report of the Commissioner-General, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;

8. *Decides* to extend until 30 June 1987, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III), the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

*98th plenary meeting  
15 December 1983*

## B

### WORKING GROUP ON THE FINANCING OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

*The General Assembly,*

*Recalling* its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 2964 (XXVII) of 13 December 1972, 3090 (XXVIII) of 7 December 1973, 3330 (XXIX) of 17 December 1974, 3419 D (XXX) of 8 December 1975, 31/15 C of 23 November 1976, 32/90 D of 13 December 1977, 33/112 D of 18 December 1978, 34/52 D of 23 November 1979, 35/13 D of 3 November 1980, 36/146 E of 16 December 1981 and 37/120 A of 16 December 1982,

*Recalling also* its decision 36/462 of 16 March 1982, whereby it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East<sup>46</sup> and adopted the recommendations contained therein,

*Having considered* the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,<sup>47</sup>

*Taking into account* the report of the Commissioner-General of the United Nations Relief and Works Agency

for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup>

*Gravely concerned* at the critical financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has already reduced the essential minimum services being provided to the Palestine refugees and which threatens even greater reductions in the future,

*Emphasizing* the urgent need for extraordinary efforts in order to maintain, at least at their present minimum level, the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

1. *Commends* the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the Agency's financial security;

2. *Takes note with approval* of the report of the Working Group;

3. *Requests* the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financing of the Agency for a further period of one year;

4. *Requests* the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

*98th plenary meeting  
15 December 1983*

## C

### ASSISTANCE TO PERSONS DISPLACED AS A RESULT OF THE JUNE 1967 AND SUBSEQUENT HOSTILITIES

*The General Assembly,*

*Recalling* its resolution 37/120 B of 16 December 1982 and all previous resolutions on the question,

*Taking note* of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup>

*Concerned* about the continued human suffering resulting from the hostilities in the Middle East,

1. *Reaffirms* its resolution 37/120 B and all previous resolutions on the question;

2. *Endorses*, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

3. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

*98th plenary meeting  
15 December 1983*

<sup>45</sup> See A/38/397, annex.

<sup>46</sup> A/36/866; see also A/37/591.

<sup>47</sup> A/38/558.

## D

## OFFERS BY MEMBER STATES OF GRANTS AND SCHOLARSHIPS FOR HIGHER EDUCATION, INCLUDING VOCATIONAL TRAINING, FOR PALESTINE REFUGEES

*The General Assembly,*

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981 and 37/120 D of 16 December 1982,

Cognizant of the fact that the Palestine refugees have, for the last three decades, lost their lands and means of livelihood,

Having examined with appreciation the report of the Secretary-General<sup>48</sup> on offers of grants and scholarships for higher education for Palestine refugees and on the scope of the implementation of resolution 37/120 D,

Having also examined the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup> dealing with this subject,

1. Urges all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 in a manner commensurate with the needs of Palestine refugees for higher education and vocational training;
2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to General Assembly resolution 36/146 H;
4. Invites the relevant organizations of the United Nations system to continue, within their respective spheres of competence, to expand assistance for higher education to Palestine refugee students;
5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the territories occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;
6. Also appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;
7. Requests the United Nations Relief and Works Agency for Palestine Refugees in the Near East to act as the recipient and trustee for such special allocations and scholarships and to award them to qualified Palestine refugee candidates;
8. Requests the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

*98th plenary meeting  
15 December 1983*

<sup>48</sup> A/38/149.

<sup>49</sup> A/38/418.

## E

## PALESTINE REFUGEES IN THE GAZA STRIP

*The General Assembly,*

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also General Assembly resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979, 35/13 F of 3 November 1980, 36/146 A of 16 December 1981 and 37/120 E of 16 December 1982,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup> and the report of the Secretary-General of 3 October 1983,<sup>49</sup>

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948 and considering that measures to resettle Palestine refugees in the Gaza Strip away from the homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General that the Israeli occupying authorities, in contravention of Israel's obligations under international law, persist in their policy of demolishing, on punitive grounds, shelters occupied by refugee families,

1. Reiterates its demand that Israel desist from the removal and resettlement of Palestine refugees in the Gaza Strip and from the destruction of their shelters;
2. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its thirty-ninth session, on Israel's compliance with paragraph 1 above.

*98th plenary meeting  
15 December 1983*

## F

## RESUMPTION OF THE RATION DISTRIBUTION TO PALESTINE REFUGEES

*The General Assembly,*

Recalling its resolutions 36/146 F of 16 December 1981, 37/120 F of 16 December 1982 and all previous resolutions on the question, including resolution 302 (IV) of 8 December 1949,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup>

Taking note of the report of the Joint Inspection Unit of 1 August 1983,<sup>50</sup>

Deeply concerned at the interruption by the United Nations Relief and Works Agency for Palestine Refugees in the Near East, owing to financial difficulties, of the general ration distribution to Palestine refugees in all fields in

<sup>50</sup> A/38/143.

the occupied Palestinian territories, Jordan and the Syrian Arab Republic,

1. *Regrets* that resolution 37/120 F of 16 December 1982 has not been implemented;

2. *Calls upon* all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to Palestine refugees in all fields, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;

3. *Requests* the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields.

*98th plenary meeting  
15 December 1983*

## G

### POPULATION AND REFUGEES DISPLACED SINCE 1967

*The General Assembly,*

*Recalling* Security Council resolution 237 (1967) of 14 June 1967,

*Recalling also* General Assembly resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981 and 37/120 G of 16 December 1982,

*Having considered* the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup> and the report of the Secretary-General of 3 October 1983,<sup>51</sup>

1. *Reaffirms* the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967 and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right of return by any displaced person is inconsistent with that inalienable right and inadmissible;

2. *Considers* any and all agreements embodying any restriction on or condition for the return of the displaced inhabitants as null and void;

3. *Strongly deplores* the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

4. *Calls once more upon* Israel:

(a) To take immediate steps for the return of all displaced inhabitants;

<sup>51</sup> A/38/419.

<sup>52</sup> A/38/361 and Add.1.

<sup>53</sup> A/38/397, annex.

(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its thirty-ninth session, on Israel's compliance with paragraph 4 above.

*98th plenary meeting  
15 December 1983*

## H

### REVENUES DERIVED FROM PALESTINE REFUGEE PROPERTIES

*The General Assembly,*

*Recalling* its resolutions 35/13 A to F of 3 November 1980, 36/146 C of 16 December 1981, 37/120 H of 16 December 1982 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

*Taking note* of the reports of the Secretary-General of 2 September and 8 November 1983,<sup>52</sup>

*Taking note also* of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 October 1982 to 30 September 1983,<sup>53</sup>

*Recalling* that the Universal Declaration of Human Rights<sup>54</sup> and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

*Considering* that the Palestinian Arab refugees are entitled to their property and to the income derived from their property, in conformity with the principles of justice and equity,

*Recalling*, in particular, its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestinian Arab refugees,

*Taking note* of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report,<sup>55</sup> of 11 May 1964, and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection and administration of Arab property, assets and property rights in Israel, and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

2. *Calls once again upon* the Governments concerned, especially Israel, to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

<sup>54</sup> Resolution 217 A (III).

<sup>55</sup> *Official Records of the General Assembly, Nineteenth Session, Annex No. 11, document A/5700.*

3. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

*98th plenary meeting  
15 December 1983*

## I

### PROTECTION OF PALESTINE REFUGEES

*The General Assembly.*

*Recalling* Security Council resolutions 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982 and 523 (1982) of 18 October 1982,

*Recalling* General Assembly resolutions ES-7/5 of 26 June 1982, ES-7/6 of 19 August 1982, ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982 and 37/120 J of 16 December 1982,

*Having considered* the report of the Secretary-General of 19 October 1983,<sup>56</sup>

*Having also considered* the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup>

*Referring* to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>57</sup> and to the obligations arising from the Regulations annexed to the Hague Convention IV of 1907,<sup>58</sup>

*Deeply distressed* at the sufferings of the Palestinians resulting from the Israeli invasion of Lebanon,

*Reaffirming* its support for Lebanese sovereignty, unity and territorial integrity,

1. *Urges* the Secretary-General, in consultation with the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to undertake effective measures to guarantee the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation;

2. *Calls once again upon* Israel, the occupying Power, to release forthwith all detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. *Also calls upon* Israel to desist forthwith from preventing those Palestinians registered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East as refugees in Lebanon from returning to their camps in Lebanon;

4. *Further calls upon* Israel to allow the resumption of health, medical, educational and social services rendered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East to the Palestinians in the refugee camps in southern Lebanon;

5. *Requests* the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to co-ordinate his activities in rendering those services with the Government of Lebanon, the host country;

<sup>56</sup> A/38/420 and Corr.1.

<sup>57</sup> United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

6. *Urges* the Commissioner-General to provide housing, in consultation with the Government of Lebanon, to the Palestine refugees whose houses were demolished or razed by the Israeli forces;

7. *Calls upon* Israel to compensate the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the damage to its property and facilities resulting from the Israeli invasion of Lebanon, without prejudice to Israel's responsibility for all damage resulting from that invasion;

8. *Requests* the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its thirty-ninth session, on the implementation of the present resolution.

*98th plenary meeting  
15 December 1983*

## J

### PALESTINE REFUGEES IN THE WEST BANK

*The General Assembly.*

*Recalling* Security Council resolution 237 (1967) of 14 June 1967,

*Having considered* the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup>

*Alarmed* by the reports that Israel plans to remove and resettle the Palestine refugees of the West Bank and to destroy their camps,

*Recalling* the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948 and considering that measures to resettle Palestine refugees in the West Bank away from the homes and property from which they were displaced constitute a violation of their inalienable right of return,

1. *Calls upon* Israel to abandon its plans and to refrain from the removal, and from any action that may lead to the removal and resettlement, of Palestine refugees in the West Bank and from the destruction of their camps;

2. *Requests* the Secretary-General, in co-operation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to keep the matter under close supervision and to report to the General Assembly, before the opening of its thirty-ninth session, on any developments regarding this matter.

*98th plenary meeting  
15 December 1983*

## K

### UNIVERSITY OF JERUSALEM "AL-QUDS" FOR PALESTINE REFUGEES

*The General Assembly.*

*Recalling* its resolutions 36/146 G of 16 December 1981 and 37/120 C of 16 December 1982,

*Having examined* the report of the Secretary-General on the question of the establishment of a university at Jerusa-

<sup>58</sup> Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

lem,<sup>59</sup> prepared in pursuance of paragraphs 5 and 7 of resolution 37/120 C,

Having also examined the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1982 to 30 June 1983,<sup>44</sup>

1. *Commends* the constructive efforts made by the Secretary-General, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Council of the United Nations University and the United Nations Educational, Scientific and Cultural Organization, which worked diligently towards the implementation of General Assembly resolution 37/120 C and other relevant resolutions;

2. *Further commends* the close co-operation of the competent educational authorities concerned;

3. *Emphasizes* the need for strengthening the educational system in the Arab territories occupied since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

4. *Takes note* of the various steps recommended in the report of the Secretary-General;

5. *Requests* the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds" in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

6. *Calls upon* Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances which it has put in the way of establishing the University of Jerusalem;

7. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the progress made in the implementation of the present resolution.

98th plenary meeting  
15 December 1983

### 38/84. International co-operation to avert new flows of refugees

*The General Assembly,*

*Reaffirming* its resolutions 36/148 of 16 December 1981 and 37/121 of 16 December 1982 on international co-operation to avert new flows of refugees,

*Having examined* the report of the Secretary-General containing observations received from Governments<sup>60</sup> and the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,<sup>61</sup>

*Considering* the urgency, magnitude and complexity of the task before the Group of Governmental Experts,

*Recognizing* the necessity of having all the experts participate in the future sessions of the Group, and concerned that, due to financial constraints, experts from least developed countries have been unable to attend,

1. *Takes note* of the report of the Secretary-General containing observations received from Governments;

2. *Welcomes* the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, including its programme of work and recommendations, as a constructive step in the fulfilment of its mandate;

3. *Reaffirms and extends* the mandate of the Group of Governmental Experts as defined in General Assembly resolutions 36/148 and 37/121;

4. *Calls upon* the Secretary-General, without prejudice to the rule contained in resolution 36/148, to assist, as far as possible and by way of exception, the experts coming from least developed countries, appointed by the Secretary-General, to participate fully in the work of the Group of Governmental Experts, in order to fulfil its mandate;

5. *Requests* the Secretary-General to prepare a compilation of the comments and suggestions he may receive from Member States on this item;

6. *Calls upon* the Group of Governmental Experts to continue its work in two sessions of two weeks' duration each during 1984, in order to fulfil its mandate;

7. *Requests* the Group of Governmental Experts to submit a report on its work in time for consideration by the General Assembly at its thirty-ninth session;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "International co-operation to avert new flows of refugees".

98th plenary meeting  
15 December 1983

### 38/85. Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea

*The General Assembly,*

*Recalling* its resolutions 36/150 of 16 December 1981 and 37/122 of 16 December 1982,

*Recalling* the rules and principles of international law relative to the fundamental rights and duties of States,

*Bearing in mind* the principles of international law relative to belligerent occupation of land, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>62</sup> and reaffirming their applicability to all Arab territories occupied since 1967, including Jerusalem,

*Taking note* of the report of the Secretary-General,<sup>63</sup>

*Recognizing* that the proposed canal, to be constructed partly through the Gaza Strip, a Palestinian territory occupied in 1967, would violate the principles of international law and affect the interests of the Palestinian people,

*Confident* that the canal linking the Mediterranean Sea with the Dead Sea, if constructed by Israel, will cause direct, serious and irreparable damage to Jordan's rights and legitimate and vital interests in the economic, agricultural, demographic and ecological fields,

*Noting with regret* the non-compliance by Israel with General Assembly resolution 36/150,

1. *Deplores* Israel's non-compliance with General Assembly resolution 37/122 and its refusal to receive the team of experts;

2. *Emphasizes* that the canal linking the Mediterranean Sea with the Dead Sea, if constructed, is a violation of the rules and principles of international law, especially those relating to the fundamental rights and duties of States and to belligerent occupation of land;

3. *Demands* that Israel not construct this canal and cease forthwith all actions taken and/or plans made towards the implementation of this project;

4. *Calls upon* all States, specialized agencies and governmental and non-governmental organizations not to

<sup>59</sup> A/38/386.

<sup>60</sup> A/38/274.

<sup>61</sup> A/38/273, annex.

<sup>62</sup> United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

<sup>63</sup> A/38/502 and Add.1 and 2.

assist, directly or indirectly, in the preparation and execution of this project and strongly urges national, international and multinational corporations to do likewise;

5. *Requests* the Secretary-General to monitor and assess, on a continuing basis and through a competent expert organ, all aspects—juridical, political, economic, ecological and demographic—of the adverse effects on Jordan and on the Arab territories occupied since 1967, including Jerusalem, arising from the implementation of the Israeli decision to construct this canal and to forward the findings of that organ on a regular basis to the General Assembly;

6. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution;

7. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea".

*98th plenary meeting  
15 December 1983*





V. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SECOND COMMITTEE<sup>1</sup>

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### 38/143. Particular problems facing Zaire with regard to transport, transit and access to foreign markets

*The General Assembly,*

Referring to its resolution 32/160 of 19 December 1977, in which it recalled Economic and Social Council resolution 2097 (LXIII) of 29 July 1977 and proclaimed the period 1978-1988 the Transport and Communications Decade in Africa,

Referring also to its resolutions 34/193 of 19 December 1979, 35/59 of 5 December 1980, 36/139 of 16 December 1981 and 37/205 of 20 December 1982 on particular problems facing Zaire with regard to transport, transit and access to foreign markets, and approving the organization in 1983 of a round-table meeting with donor countries for Zaire's projects in these three fields,

Recalling resolution 110 (V) of 3 June 1979<sup>2</sup> of the United Nations Conference on Trade and Development,

Recalling also Economic and Social Council decision 249 (LXIII) of 25 July 1977 and resolution 1981/68 of 24 July 1981, as well as resolution 293 (XIII) of 26 February 1977 adopted by the Conference of Ministers of the Economic Commission for Africa,<sup>3</sup>

Having considered the report of the Secretary-General on the outcome of the round-table meeting on the financing of the transport projects of Zaire, held at Kinshasa on 28 and 29 June 1983,<sup>4</sup>

1. Takes note of the report of the Secretary-General on the round-table meeting of donors;
2. Expresses its appreciation of the contribution made by some donor countries and financing agencies which enabled the round-table meeting to achieve satisfactory results;
3. Appeals to donor countries and financing agencies to take prompt action to give effect to the interest which they expressed in financing particular projects;
4. Requests the Executive Secretary of the Economic Commission for Africa to assist Zaire in order to ensure follow-up of the results of the round-table meeting;
5. Approves the organization in 1985 of a second round-table meeting to review the progress made in financing and implementing the transport projects designed to open up the land-locked regions of Zaire;
6. Requests the Secretary-General to provide, within existing resources, the Economic Commission for Africa

<sup>2</sup> 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.

<sup>3</sup> See *Official Records of the Economic and Social Council, Sixty-third Session, Supplement No. 7*, vol. I (E/5941), part III.

<sup>4</sup> A/38/264/Add.1-E/1983/90/Add.1.

with the resources required to organize the second round-table meeting.

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### 38/144. Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories

*The General Assembly,*

Recalling its resolution 37/135 of 17 December 1982,

Recalling also its previous resolutions on permanent sovereignty over natural resources,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, in particular Convention IV of The Hague of 1907,<sup>5</sup> and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>6</sup> concerning the obligations and responsibilities of the occupying Power,

Bearing in mind also the pertinent provisions of 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, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

1. Takes note of the report of the Secretary-General on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories;<sup>7</sup>
2. Commends the report of the Secretary-General on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories;<sup>8</sup>
3. Condemns Israel for its exploitation of the national resources of the occupied Palestinian and other Arab territories;
4. Reaffirms that Convention IV of The Hague of 1907 and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, are applicable to the occupied Palestinian and other Arab territories;
5. Emphasizes the right of the Palestinian and other Arab peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

<sup>5</sup> Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

<sup>6</sup> United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

<sup>7</sup> A/38/282-E/1983/84.

<sup>8</sup> A/38/265-E/1983/85.

6. *Also reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Palestinian and other Arab territories are illegal, and calls upon Israel to desist immediately from such measures;

7. *Further reaffirms* the right of the Palestinian and other Arab peoples subjected to Israeli aggression and occupation to the restitution of, and full compensation for the exploitation, depletion and loss of and damage to, their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

8. *Calls upon* all States to support the Palestinian and other Arab peoples in the exercise of their above-mentioned rights;

9. *Calls upon* all States, international organizations, specialized agencies, business corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the national resources of the occupied Palestinian and other Arab territories or to effect any changes in the demographic composition, the character and form of use of their natural resources or the institutional structure of those territories;

10. *Requests* the Secretary-General to elaborate on his report<sup>8</sup> in order to cover also, in detail, the resources exploited by the Israeli settlements and the Israeli-imposed regulations and policies hampering the economic development of the occupied Palestinian and other Arab territories, including a comparison between the practices of Israel and its obligations under international law;

11. *Also requests* the Secretary-General to submit the detailed report to the General Assembly at its thirty-ninth session, through the Economic and Social Council.

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### 38/145. Assistance to the Palestinian people

*The General Assembly,*

*Recalling* its resolution 37/134 of 17 December 1982,

*Recalling also* Economic and Social Council resolution 1983/43 of 25 July 1983,

*Recalling further* the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine,<sup>9</sup>

*Noting* the need to provide economic and social assistance to the Palestinian people,

1. *Endorses* Economic and Social Council resolution 1983/43;

2. *Endorses also* decision 83/11 of 24 June 1983 of the Governing Council of the United Nations Development Programme,<sup>10</sup> in which the Council called upon Governments and intergovernmental organizations to provide additional special contributions to the Programme amounting to at least 8 million dollars during the third programming cycle, so as to ensure the implementation of the United Nations Development Programme assistance programme for the Palestinian people;

3. *Requests* the Secretary-General:

(a) To convene in 1984 a meeting of the relevant programmes, organizations, agencies and organs of the

United Nations system to develop a co-ordinated programme of economic and social assistance to the Palestinian people and to ensure its implementation;

(b) To provide for the participation in the meeting of the Palestine Liberation Organization, the Arab host countries and relevant intergovernmental and non-governmental organizations;

(c) To utilize existing inter-agency mechanisms to prepare proposals for assistance projects to be considered at the meeting;

4. *Requests* that the meeting should look into the most effective inter-agency machinery to co-ordinate and intensify United Nations assistance to the Palestinian people;

5. *Requests* the relevant programmes, organizations, agencies and organs of the United Nations system to intensify their efforts, in co-operation with the Palestine Liberation Organization, to provide economic and social assistance to the Palestinian people;

6. *Also requests* that United Nations assistance to the Palestinians in the Arab host countries should be rendered in co-operation with the Palestine Liberation Organization and with the consent of the Arab host Government concerned;

7. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

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### 38/146. World Tourism Organization

*The General Assembly,*

*Recalling* its resolutions 32/156 and 32/157 of 19 December 1977, 33/122 of 19 December 1978 and 34/134 of 14 December 1979, concerning the World Tourism Organization,

*Recalling also* its resolution 36/41 of 19 November 1981, which pertains, *inter alia*, to the Manila Declaration on World Tourism,<sup>11</sup>

*Recalling further* its resolution 35/56 of 5 December 1980, by which it proclaimed the Third United Nations Development Decade and adopted the International Development Strategy for the Third United Nations Development Decade,

*Taking note* of paragraph 5 of its resolution 36/41 and of subparagraph (c) of Economic and Social Council decision 109 (LIX) of 23 July 1975, in which the General Assembly and the Council decided that the World Tourism Organization might participate, on a continuing basis, in the work of the Assembly and the Council in areas of concern to that organization,

*Noting* that the World Tourism Meeting was convened from 21 to 27 August 1982 at Acapulco, Mexico, and that it adopted the Acapulco Document on World Tourism<sup>12</sup> as a follow-up to the Manila Declaration,

*Recognizing* the new dimension and role of tourism as a positive instrument towards the improvement of the quality of life for all peoples, as well as a significant force for peace and international understanding,

1. *Welcomes* the report of the Secretary-General of the World Tourism Organization<sup>13</sup> on the progress made in

<sup>9</sup> Report of the International Conference on the Question of Palestine, Geneva, 29 August–7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I, sect. B.

<sup>10</sup> See Official Records of the Economic and Social Council, 1983, Supplement No. 9 (E/1983/20), annex I.

<sup>11</sup> A/36/236, annex, appendix I.

<sup>12</sup> A/38/182–E/1983/66, annex, appendix.

<sup>13</sup> *Ibid.*, annex.

the implementation of the Manila Declaration on World Tourism;

2. *Urges* Member States to give due attention to the principles of the Manila Declaration and the Acapulco Document on World Tourism while formulating and implementing, as appropriate, their tourism policies, plans and programmes, in accordance with their national priorities and within the framework of the programme of work of the World Tourism Organization;

3. *Requests* the World Tourism Organization, in co-operation with the United Nations system, to continue its efforts towards the future development and promotion of tourism, especially in the developing countries, bearing in mind the principles and guidelines contained in the Manila Declaration and the Acapulco Document;

4. *Requests* the United Nations Development Programme and other relevant United Nations bodies, as well as other international, intergovernmental and non-governmental organizations directly or indirectly interested in tourism, to extend their assistance, in co-operation with the World Tourism Organization and in accordance with the priorities of the Governments concerned, towards the implementation of the Manila Declaration and the Acapulco Document;

5. *Requests* the Secretary-General of the World Tourism Organization to submit to the General Assembly at its fortieth session, through the Economic and Social Council, a report on the progress made in the implementation of the Manila Declaration and the Acapulco Document.

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### 38/147. Consumer protection

*The General Assembly,*

*Bearing in mind* Economic and Social Council resolution 1981/62 of 23 July 1981, in which the Council requested the Secretary-General to continue consultations on consumer protection with a view to elaborating a set of general guidelines for consumer protection,

*Taking note* of the report of the Secretary-General on consumer protection,<sup>14</sup> containing the draft guidelines on consumer protection,

*Noting* Economic and Social Council decision 1983/174 of 28 July 1983, in which the Council, *inter alia*, recommended that the General Assembly should determine the procedure for the consideration of the draft guidelines with a view to their adoption by the Assembly at its thirty-ninth session,

1. *Urges* Governments that have not already provided comments on the draft guidelines in response to the Secretary-General's note verbale dated 17 September 1982 to do so as quickly as possible;

2. *Decides* that the draft guidelines on consumer protection should be considered by the Economic and Social Council during its first and second regular sessions of 1984, perhaps in a sessional working group, with a view to their adoption by the General Assembly at its thirty-ninth session;

3. *Requests* the Secretary-General, in view of the importance of the guidelines for consumers in general and for those in the developing countries in particular, to

extend all possible assistance towards the finalization and adoption of the draft guidelines.

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### 38/148. International Conference on Population

*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 resolution 35/56 of 5 December 1980, to which is annexed the International Development Strategy for the Third United Nations Development Decade, in which the General Assembly declared, *inter alia*, that the implementation of the World Population Plan of Action<sup>15</sup> should be strengthened in the 1980s and that the international community should increase the level of assistance in this field in support of the World Population Plan of Action,

*Recalling further* its resolution 3344 (XXIX) of 17 December 1974 on the World Population Conference,

*Recalling* Economic and Social Council resolution 1979/32 of 9 May 1979 on the strengthening of actions concerned with the fulfilment of the World Population Plan of Action,

*Emphasizing* the importance of the population question and its close link to development,

*Recalling* Economic and Social Council resolutions 1981/87 of 25 November 1981, 1982/7 of 30 April 1982, 1982/42 of 27 July 1982 and 1983/6 of 26 May 1983,

*Noting* that relevant policies and programmes are being adopted by many States as part of their national plans to implement the provisions of the World Population Plan of Action,

*Noting also* the programmes adopted by United Nations organs and the activities carried out by the United Nations Fund for Population Activities and by non-governmental organizations concerned with the implementation of the provisions of the World Population Plan of Action,

*Noting further* that the Population Commission, acting as Preparatory Committee for the International Conference on Population, will hold a session open to the participation of all States in January 1984,

*Aware* of the necessity of appraising the implementation of the World Population Plan of Action and giving new impetus to its full application,

1. *Endorses* the decisions adopted by the Economic and Social Council in its resolution 1983/6, including the convening of the International Conference on Population at Mexico City from 6 to 13 August 1984;

2. *Welcomes with appreciation* the offer of the Government of Mexico to serve as host to the International Conference on Population in 1984;

3. *Requests* the Population Commission, acting as Preparatory Committee open to the participation of all States, to prepare at its meeting in January 1984 a draft provisional agenda for the Conference, taking into account paragraph 5 of Economic and Social Council resolution 1983/

<sup>14</sup> E/1983/71.

<sup>15</sup> Report of the United Nations World Population Conference, Bucharest, 19-30 August 1974 (United Nations publication, Sales No. E.75.XIII.3), chap. I.

6, and to submit the draft provisional agenda for the approval of the Council at its first regular session of 1984;

4. *Requests* the regional commissions to consider at their annual sessions in 1984 the Preparatory Committee's report on its meeting, to make suggestions and recommendations for the subsequent implementation and updating of the World Population Plan of Action at the regional level, and to transmit their suggestions and recommendations to the Conference for its consideration;

5. *Requests* the Secretary-General to take the appropriate steps to ensure the timely circulation of the preparatory documents for the Conference and, in any event, with strict adherence to the six-week rule, and their availability simultaneously in all the official languages of the United Nations;

6. *Requests* the Secretary-General to take appropriate steps as part of the preparatory process to ensure that the Conference and issues to be discussed at the Conference are widely publicized;

7. *Calls upon* the Secretary-General of the Conference to continue to make every effort to obtain extrabudgetary resources for the Conference;

8. *Urges* all States to participate actively at a high level in the Conference;

9. *Requests* the Preparatory Committee to transmit the report on its meeting in January 1984 to the Economic and Social Council for consideration at its first regular session of 1984;

10. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the outcome of the Conference.

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### **38/149. Protection against products harmful to health and the environment**

*The General Assembly,*

*Recalling* its resolutions 36/166 of 16 December 1981 and 37/137 of 17 December 1982,

*Bearing in mind* the oral report presented by the Secretariat on 3 November 1983 with regard to progress made in the implementation of resolution 37/137,<sup>16</sup>

1. *Takes note* of the report of the Secretary-General on the exchange of information on banned hazardous chemicals and unsafe pharmaceutical products,<sup>17</sup> and of the work being carried out by the organizations of the United Nations system;

2. *Notes with satisfaction* that the work carried out in consultation with organizations of the United Nations system on the consolidated list of products whose consumption and/or sale have been banned, withdrawn, severely restricted or, in the case of pharmaceuticals, not approved by Governments, is in the process of being completed;

3. *Requests* the Secretary-General to make available the consolidated list, as established on the basis of information supplied thus far, in accordance with the objectives of General Assembly resolution 37/137, and to bring it up to date on a regular basis;

4. *Urges* the relevant organs, organizations and bodies of the United Nations system, particularly the Food and Agriculture Organization of the United Nations, the World Health Organization, the International Labour

Organisation, the United Nations Environment Programme, the General Agreement on Tariffs and Trade and the United Nations Centre on Transnational Corporations, and other intergovernmental organizations to continue to co-operate fully in providing information for the consolidated list and for its updated versions;

5. *Appreciates* the co-operation extended by Governments and urges all Governments, in particular those that have not yet done so, to provide the necessary information for inclusion in the consolidated list and its updated versions, as well as comments and views that they deem relevant;

6. *Urges* non-governmental organizations to extend co-operation to the Secretary-General regarding the preparation of the consolidated list, particularly in the identification of potential sources of information among national Governments and in obtaining governmental information on relevant regulatory actions;

7. *Requests* the Secretary-General, for purposes of review by the General Assembly at its thirty-ninth session, to submit a report on the implementation of Assembly resolution 37/137, including the consolidated list, taking into account the latest information and comments collected for possible improvement of the list, as envisaged in paragraph 6 of resolution 37/137;

8. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session, through the Economic and Social Council, a report on the exchange of information on banned hazardous chemicals and unsafe pharmaceutical products identifying elements for possible further work in this area in regard to the needs and capabilities of developing countries to monitor and control those substances in the light of the relevant observations in the report of the Secretary-General;<sup>17</sup>

9. *Requests* the Secretary-General and the competent organs, organizations and bodies of the United Nations system to continue to provide, within available resources, the necessary technical assistance to the developing countries, at their request, for the establishment or strengthening of national systems for better use by those countries of the information provided with regard to banned hazardous chemicals and unsafe pharmaceutical products, as well as for an adequate monitoring of the importation of those products.

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### **38/150. Transport and Communications Decade in Africa**

*The General Assembly,*

*Recalling* its resolutions 32/160 of 19 December 1977, 33/197 of 29 January 1979 and 34/15 of 9 November 1979 on the Transport and Communications Decade in Africa and, in particular, its resolutions 35/108 of 5 December 1980 and 36/177 of 17 December 1981, by which it approved the organization of consultative technical meetings for the various African subregions,

*Referring* to resolution 422 (XVI), adopted on 10 April 1981 by the Conference of Ministers of the Economic Commission for Africa,<sup>18</sup> in which the Conference requested the Executive Secretary of the Commission to undertake the preparation of the plan of action for the second phase (1984-1988) of the Decade,

<sup>16</sup> *Official Records of the General Assembly, Thirty-eighth Session, Second Committee, 27th meeting, paras 1-7.*

<sup>17</sup> A/38/190-E/1983/67.

<sup>18</sup> See *Official Records of the Economic and Social Council, 1981, Supplement No. 14 (E/1981/54), chap. IV.*

Recalling also its resolution 37/140 of 17 December 1982, in which it, *inter alia*, requested the Executive Secretary of the Economic Commission for Africa to submit to the General Assembly at its thirty-eighth session a report on the state of preparation of the plan of action for the second phase of the Decade,

Recalling Economic and Social Council resolutions 1979/61 of 3 August 1979, 1980/46 of 23 July 1980 and 1981/67 of 24 July 1981 on the Transport and Communications Decade in Africa and Council resolution 1982/54 of 29 July 1982, in which the Council requested the organization of a fifth consultative technical meeting for the countries of North Africa, East Africa and the islands of the Indian Ocean, as endorsed by the General Assembly in its resolution 37/140,

Referring also to resolution 464 (XVIII) adopted on 2 May 1983 by the Conference of Ministers of the Economic Commission for Africa,<sup>19</sup> in which the Conference requested the Executive Secretary of the Commission to ensure that the plan of action for the second phase would promote harmonization and co-ordination of the various modes of transport and communication and to organize four consultative technical meetings after the launching of the second phase of the Decade,

Taking note of resolution 465 (XVIII) adopted on 2 May 1983 by the Conference of Ministers of the Economic Commission for Africa,<sup>20</sup> in which the Conference requested the Executive Secretary of the Commission to ensure that the resolutions on freedoms of the air in Africa would be implemented,

Recalling also Economic and Social Council resolution 1983/67 of 29 July 1983, in which the Council recommended the organization of consultative technical meetings in 1984 and 1985, as well as the carrying out of required studies and the organization of conferences,

Considering that the programme for the Decade requires updating, as may be necessary, during the entire period of the second phase,

1. Takes note of the report of the Secretary-General on the Transport and Communications Decade in Africa;<sup>21</sup>

2. Takes note also of the report of the Executive Secretary of the Economic Commission for Africa on the preparation of the plan of action for the second phase (1984-1988) of the Transport and Communications Decade in Africa,<sup>22</sup> as well as the timetable<sup>23</sup> drawn up to adjust the programme with a view to finalizing it for consideration and adoption by the Conference of African Ministers of Transport, Communications and Planning at its fourth session, to be held from 7 to 11 February 1984;

3. Notes the financial support provided by the Secretary-General and the Administrator of the United Nations Development Programme to the Economic Commission for Africa for the preparation of the plan of action for the second phase of the Decade;

4. Notes with interest the financial resources made available by the Secretary-General to the Economic Commission for Africa for the organization of the fifth consultative technical meeting for the countries of North Africa, East Africa and the islands of the Indian Ocean, to be held from 15 to 17 March 1984;

5. Also notes with interest the measure of progress achieved in the implementation of the programme for the first phase of the Decade;

6. Commends the efforts undertaken for the preparation of the plan of action for the second phase of the Decade,

ade, which should continue to aim at a sound programme, in both its technical and financial aspects, in order to ensure the full realization of the objectives of the Decade:

7. Requests the Executive Secretary of the Economic Commission for Africa to organize other consultative technical meetings as soon as possible following the launching of the second phase of the Decade in 1984, and not later than the middle of 1985, for the following sub-sectors of transport and communications:

- (a) Broadcasting;
- (b) Postal services;
- (c) Air transport;
- (d) Railways and rail transport;

8. Appeals to donor countries and financing institutions to participate actively and positively in the fifth consultative technical meeting, as well as in subsequent consultative technical meetings to be organized in 1984 and 1985;

9. Also requests the Executive Secretary of the Economic Commission for Africa:

- (a) To undertake studies on the harmonization and co-ordination of various modes of transport and communications;
- (b) To prepare, in collaboration with the relevant organizations of the United Nations system, a study of the training and manpower needs of all African countries for all modes of transport and communications;
- (c) To draw up urgently programmes on transport and communications of special importance to the land-locked developing countries in Africa;
- (d) To organize the fourth session of the Conference of African Ministers of Transport, Communications and Planning, to be held from 7 to 11 February 1984;
- (e) To organize in 1984 a conference of the Governments of African countries and representatives of African airlines with a view to examining ways and means to promote inter-African airlinks;

10. Requests the Secretary-General to provide the Economic Commission for Africa with \$1 million from the regular budget of the United Nations to enable it to organize the four consultative technical meetings planned for 1984 and 1985, to elaborate the studies requested in the present resolution, to organize the meetings planned for 1984, such as those specified in paragraphs 7 and 9 above, within the context of the Decade, and to seek additional support from extrabudgetary resources;

11. Further requests the Executive Secretary of the Economic Commission for Africa to explore other approaches for mobilizing financial resources for implementing the programme for the Decade;

12. Requests further the Executive Secretary of the Economic Commission for Africa to continue to present annual progress reports on the implementation of the programme for the Decade;

13. Requests the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the progress achieved in the implementation of the present resolution.

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<sup>19</sup> See A/38/259-E/1983/79, annex I.

<sup>20</sup> *Ibid.*, annex II.

<sup>21</sup> A/38/259-E/1983/79.

<sup>22</sup> A. 38.263-E/1983/80.

<sup>23</sup> A. 38.259-E/1983/79, para. 39.

### 38/151. Development of the energy resources of developing countries

*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, the Charter of Economic Rights and Duties of States, contained in its resolution 3281 (XXIX) of 12 December 1974, and resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling its resolution 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade, which, *inter alia*, called for the promotion of the exploration, development, expansion and processing of all energy resources of the developing countries at a rate commensurate with their development objectives and for the provision of adequate financial and technical resources for this purpose,

Recalling its resolution 37/251 of 21 December 1982,

Recalling also the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy,<sup>24</sup>

Recalling further section II.A of resolution 112 (V) of 3 June 1979 of the United Nations Conference on Trade and Development<sup>25</sup> concerning the strengthening of the technological capacity of the developing countries in the development of their energy resources, including that relating to transition from conventional sources to a more diversified pattern of energy consumption,

Considering that the principal impediments to the realization of the indigenous energy potential of the developing countries are, in addition to inadequate exploration, the scarcity of financial resources, insufficient exploration data, inadequate access to technology and a shortage of skills,

Reaffirming that effective and urgent measures should be taken by the international community to assist and support the efforts of the developing countries for developing the domestic energy resources of those countries, in particular the energy-deficient among them, in order to meet their needs through co-operation, assistance and investment in the field of conventional and of new and renewable sources of energy, consistent with their national plans and priorities, as called for in the International Development Strategy,

Aware that special measures are required in this regard for the least developed countries,

Aware that multilateral financial and technical assistance for the exploration, development, expansion and processing of the energy resources of the developing countries continues to be necessary in order to realize their indigenous energy potential and meet their development objectives,

Recognizing the need for an accelerated effort devoted to the exploration and development of the indigenous energy resources of developing countries,

Reaffirming that the developing countries continue to bear the main responsibility for the development of their indigenous energy potential, which would require vigorous measures for a fuller mobilization of their domestic finan-

cial and other resources, while external resources, public and private, particularly concessional flows and official development assistance, can constitute an element of support for the developing countries' own efforts,

Emphasizing the importance of intensifying the capabilities of the United Nations in the collection, analysis and dissemination of information relating to all phases of the development of energy resources in the developing countries,

Taking note of the report of the Secretary-General on the development of the energy resources of the developing countries,<sup>26</sup>

Taking note also of the report of the Secretary-General of the United Nations Conference on Trade and Development on the strengthening of the technological capacity of the developing countries in the development of their energy resources.<sup>27</sup>

1. Requests the Secretary-General to complete his comprehensive report on the development of the energy resources of the developing countries, as requested by the General Assembly in its resolution 37/251 and the Economic and Social Council in its resolution 1983/60 of 28 July 1983, and to report to the Assembly at its thirty-ninth session;

2. Also requests the Secretary-General to explore in his report, in consultation with appropriate international financial institutions, ways and means of mobilizing adequate and additional resources for the development of the energy resources of developing countries and, at the same time, encourages interested Governments, in co-operation with appropriate United Nations bodies, to hold, at an early date, symposia and other similar undertakings in order to explore ways and means of supporting the efforts of developing countries in the exploration and development of their energy resources;

3. Urges the international community to mobilize adequate and additional technological resources as well as adequate financial support for the accelerated exploration and development of the energy resources of developing countries;

4. Urges, in this connection, accelerated consideration of other possible avenues that would increase energy financing, including, *inter alia*, the mechanisms being examined by the World Bank, such as an energy affiliate, and calls upon Member States to make appropriate efforts to this end in the relevant forums;

5. Urges Member States and international bodies and institutions to undertake actions oriented towards the effective implementation of General Assembly resolution 37/251 and stresses that international co-operation in this regard should be focused on developing the indigenous capabilities of developing countries in this field, using domestic resources to the maximum extent possible;

6. Calls for greater participation by the international and regional financial institutions in the financing of energy projects in developing countries, in particular those located in the least developed countries, so as to bring about an increase in the flow of resources;

7. Requests the Secretary-General of the United Nations Conference on Trade and Development to continue, in consultation with other relevant United Nations bodies and in the context of avoiding duplication, to analyse further the issues contained in his report on the

<sup>24</sup> Report of the United Nations Conference on New and Renewable Sources of Energy, Nairobi, 10–21 August 1981 (United Nations publication, Sales No. E.81.I.24), chap. I, sect. A.

<sup>25</sup> 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.

<sup>26</sup> See E/1983/91 and Corr.1 and A/38/512.

<sup>27</sup> A/38/363.



strengthening of the technological capacity of the developing countries in the development of their energy resources;

8. *Reaffirms* the need for the United Nations system to support the efforts of the developing countries to enhance economic and technical co-operation among themselves for the development of their energy resources;

9. *Invites* regional bodies and institutions of economic, technical and financial co-operation to increase their support and assistance to the efforts that the developing countries are making for the development of their energy resources;

10. *Reaffirms also* the significance and importance of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy and urges all Governments, organs, organizations and bodies of the United Nations system, specialized intergovernmental agencies and institutions, as well as non-governmental organizations concerned with new and renewable sources of energy, to take effective action for the implementation of the Programme of Action.

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### **38/152. Review and appraisal of the implementation of the International Development Strategy for the Third United Nations Development Decade**

*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* its resolution 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade, and reiterating the goals and objectives contained therein,

*Recalling also* its resolution 37/202 of 20 December 1982, by which it established a committee of universal membership to carry out in 1984 the first overall review and appraisal of the implementation of the International Development Strategy, and provided for the necessary arrangements for fulfilling this task,

*Recalling further* its resolution 37/203 of 20 December 1982, in which it requested, *inter alia*, that, as part of the preparations for the review and appraisal of the International Development Strategy, an analysis also be made of the negative trends in the world economy which affect international economic co-operation,

*Recalling* the relevant provisions of Economic and Social Council decision 1983/184 of 29 July 1983,

*Deeply conscious* that the early part of the Third United Nations Development Decade has been a period of widespread economic stagnation and crisis, particularly in those developing countries where per capita income declined significantly, in marked contrast to the annual growth rate of about 4.5 per cent envisaged in the International Development Strategy,

*Expressing its deep regret* at the lack of progress in the launching of global negotiations, which are intended to be one of the principal instruments for facilitating the implementation of the International Development Strategy,

*Reaffirming*, in the context of the International Development Strategy, the continuing need to address the long-term structural economic problems,

*Convinced* of the urgent need for substantially greater efforts towards the implementation of the goals and objectives of the International Development Strategy in the remaining period of the Decade,

1. *Reiterates* the importance of achieving the goals and objectives of the International Development Strategy for the Third United Nations Development Decade;

2. *Reaffirms* that, in accordance with paragraphs 169 to 180 of the International Development Strategy, the process of review and appraisal of the implementation of the Strategy should consist of systematic scrutiny, within the context of an overall review of the international economic situation, of the progress made towards achieving the goals and objectives of the Strategy, and should ensure its effective implementation and strengthen it as an instrument of policy;

3. *Reaffirms also* the need, in the review and appraisal exercise, to identify and appraise the real causes for shortfalls encountered in the implementation of the International Development Strategy and to carry out, if necessary, the adjustment, intensification or reformulation of the policy measures foreseen in the Strategy in the light of evolving needs and developments, in order for the instrument to contribute effectively to the development of developing countries, with a view to the establishment of a new international economic order;

4. *Urges* all Governments and all concerned to implement fully the provisions of General Assembly resolution 37/202 in order to ensure the successful preparation and conclusion of the review and appraisal exercise;

5. *Recommends* that informal consultations be conducted by the Chairman of the Committee on the Review and Appraisal of the Implementation of the International Development Strategy for the Third United Nations Development Decade, prior to the substantive session of the Committee, to initiate preliminary discussions and an exchange of views on the review and appraisal of the Strategy as envisaged in paragraphs 2 and 3 above, and to review the preparation of documentation for the Committee;

6. *Decides* that documentation to be submitted to the Committee by relevant organs, organizations and bodies of the United Nations system should be concise and brief and should focus on the issues envisaged in paragraphs 2 and 3 above, as well as on questions addressed to them in the relevant provisions of General Assembly resolution 37/202;

7. *Requests* the Secretary-General, in pursuance of General Assembly resolutions 37/202 and 37/203, to prepare and submit to the Committee an analytical, comprehensive, consolidated and synthesized report on the implementation of the International Development Strategy, addressing the issues envisaged in paragraphs 2 and 3 above and drawing on the reports of the relevant organs, organizations and bodies of the United Nations system.

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19 December 1983*

### **38/153. International code of conduct on the transfer of technology**

*The General Assembly,*

*Recalling* its resolution 37/210 of 20 December 1982 and decision 145 (VI) adopted on 2 July 1983 by the

United Nations Conference on Trade and Development at its sixth session, held at Belgrade from 6 June to 2 July 1983,<sup>28</sup>

*Taking note* of the decision adopted on 4 November 1983 by the United Nations Conference on an International Code of Conduct on the Transfer of Technology at its fifth session, held at Geneva from 17 October to 4 November 1983,<sup>29</sup>

1. *Decides* to convene a sixth session of the United Nations Conference on an International Code of Conduct on the Transfer of Technology, under the auspices of the United Nations Conference on Trade and Development, in order to complete successfully the negotiations on the code of conduct not later than the first half of 1985;

2. *Invites* the Secretary-General of the United Nations Conference on Trade and Development, after consultations with regional groups, to determine the precise dates of the sixth session of the United Nations Conference on an International Code of Conduct on the Transfer of Technology;

3. *Also invites* the Secretary-General of the United Nations Conference on Trade and Development to prepare for the sixth session of the United Nations Conference on an International Code of Conduct on the Transfer of Technology the text of the draft international code of conduct as at the end of the fifth session of the Conference, as well as appropriate documentation.

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#### **38/154. Development aspects of the reverse transfer of technology**

*The General Assembly,*

*Recalling* its resolutions 32/192 of 19 December 1977, 33/151 of 20 December 1978, 34/200 of 19 December 1979, 35/62 of 5 December 1980, 36/141 of 16 December 1981 and 37/207 of 20 December 1982, concerning the development aspects of the reverse transfer of technology.

*Reaffirming* resolution 102 (V) of 30 May 1979<sup>30</sup> and section II of resolution 143 (VI) of 2 July 1983<sup>28</sup> of the United Nations Conference on Trade and Development and the Vienna Programme of Action on Science and Technology for Development,<sup>31</sup>

1. *Takes note* of the report of the Secretary-General<sup>32</sup> concerning the Meeting of Governmental Experts on the Reverse Transfer of Technology, held at Geneva from 29 August to 7 September 1983;

2. *Regrets* that an inter-agency group to co-ordinate measures on the question of the reverse transfer of technology, as provided for in paragraph 4 of General Assembly resolution 37/207, has not been established;

3. *Requests* the Secretary-General to establish urgently an inter-agency group comprising representatives of the United Nations Conference on Trade and Development, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Development Programme, the Centre for Science and Technology for Development of the Secretariat, the United Nations

<sup>28</sup> See *Proceedings of the United Nations Conference on Trade and Development, Sixth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

<sup>29</sup> A/38/580, annex I.

<sup>30</sup> 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.

Institute for Training and Research, the Statistical Office of the Secretariat and other appropriate organs and bodies of the United Nations system to co-ordinate measures on the question of the reverse transfer of technology and, in particular, to examine and enhance the effectiveness of the United Nations system in responding to the complex needs of the countries concerned, as well as any additional measures to that effect;

4. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to convene the meetings of governmental experts on the reverse transfer of technology, at least two of which should be held at an appropriate time before the sixth session of the Committee on Transfer of Technology, scheduled to take place in 1985; the meetings should be based on the terms of reference outlined in General Assembly resolution 37/207 and should take into account the relevant conclusions and recommendations of the Meeting of Governmental Experts on the Reverse Transfer of Technology;<sup>33</sup>

5. *Appeals* to all Member States to participate fully in the meetings of governmental experts on the reverse transfer of technology;

6. *Requests further* the Secretary-General of the United Nations Conference on Trade and Development, in cooperation with the International Labour Organisation and other relevant organizations, to prepare the necessary documentation to assist the next meetings of governmental experts;

7. *Requests* the Trade and Development Board to include, in its reports to the General Assembly at its thirty-ninth and fortieth sessions, the outcome of the meetings of governmental experts on development aspects of the reverse transfer of technology;

8. *Requests* the Secretary-General to submit a report on the results of the meetings of the inter-agency group to the General Assembly at its thirty-ninth session.

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#### **38/155. Report of the United Nations Conference on Trade and Development on its sixth session**

*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 resolution 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

*Recalling further* its resolution 37/208 of 20 December 1982,

*Having considered* the report of the United Nations Conference on Trade and Development on its sixth session,<sup>34</sup> held at Belgrade from 6 June to 2 July 1983, and the report of the Trade and Development Board on its

<sup>31</sup> *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.

<sup>32</sup> A/38/557.

<sup>33</sup> *Ibid.*, annex.

<sup>34</sup> *Proceedings of the United Nations Conference on Trade and Development, Sixth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6).

twenty-sixth, twelfth special and twenty-seventh sessions,<sup>35</sup>

*Taking note* of the Economic Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>36</sup> and the proposals contained in the Buenos Aires Platform, adopted at the Fifth Ministerial Meeting of the Group of Seventy-seven, held from 28 March to 9 April 1983,<sup>37</sup> as well as the intensive preparations at a high political level by other groups in this regard,

*Considering* that the sixth session of the United Nations Conference on Trade and Development took place against the background of the harmful effects of the world economic crisis, especially on the economic development of developing countries, and accordingly affirming the importance of achieving a sustained world economic recovery and ensuring a rapid expansion of international trade that is supportive of economic growth and development, in particular that of developing countries,

*Recognizing* the leading responsibility of developed countries in promoting conditions conducive to world recovery, the need for reviving development momentum in the developing countries and the need for sound policies in both developed and developing countries to restore sustainable development and growth,

*Urging accordingly* developed countries to take fully into account the international implications of their policy decisions, including their impact on developing countries,

1. *Takes note* of the report of the United Nations Conference on Trade and Development on its sixth session and the report of the Trade and Development Board on its twenty-sixth, twelfth special and twenty-seventh sessions;

2. *Notes with concern* that the Conference was unable to yield results commensurate with the dimension of the problems confronting the developing countries and the world economy as a whole;

3. *Further notes with concern* that the Trade and Development Board was unable, at its twenty-seventh session, to translate into a work programme and action resolutions and decisions of the United Nations Conference on Trade and Development at its sixth session;

4. *Takes note* of resolutions 146 (VI), 147 (VI), 152 (VI) and 157 (VI) adopted on 2 July 1983 by the United Nations Conference on Trade and Development at its sixth session;<sup>38</sup>

5. *Endorses* all other resolutions adopted by the United Nations Conference on Trade and Development at its sixth session;<sup>38</sup>

6. *Urges* all Governments, bearing in mind the particular contribution developed countries can make, to exercise the necessary political will so as to enable the Trade and Development Board, at its twenty-eighth session, to reach agreement on the follow-up to the sixth session of the United Nations Conference on Trade and Development and to ensure timely implementation of its results;

7. *Calls upon* all countries to exert every effort to adopt and implement the measures necessary for the revitalization of the development process in the developing countries and for dealing with structural problems in the global economy, and emphasizes the continuing important role of the United Nations Conference on Trade and Development in this regard;

8. *Takes note* of the statement on the world economic situation with special emphasis on development: approaches to the current world economic crisis and perspectives for the 1980s, including issues, policies and measures relevant to the attainment of a new international economic order, adopted at the sixth session of the United Nations Conference on Trade and Development;<sup>38</sup>

9. *Calls upon* all countries to take appropriate action at the national and international levels on the resolutions of the United Nations Conference on Trade and Development at its sixth session and on the immediate measures set out in paragraph 14 of the statement mentioned above;

10. *Requests* the Trade and Development Board, at its twenty-eighth session, and the subsidiary organs of the United Nations Conference on Trade and Development to take the appropriate necessary action on the resolutions and decisions adopted by the Conference at its sixth session;

11. *Invites* all organs, organizations and bodies of the United Nations system to respond positively to the requests addressed to them in the relevant parts of the resolutions of the United Nations Conference on Trade and Development at its sixth session.

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### **38/156. Signature and ratification of the Agreement Establishing the Common Fund for Commodities**

*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 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade, and 37/211 of 20 December 1982 and resolution 153 (VI) adopted on 2 July 1983 by the United Nations Conference on Trade and Development at its sixth session,<sup>38</sup>

*Noting with appreciation* the offer made by the States members of the Organization of Petroleum Exporting Countries, as well as by Norway and the European Economic Community, to pay the full capital subscriptions of the least developed countries and a number of other developing countries concerned,

*Having considered* the report of the Secretary-General<sup>39</sup> on the status of the Agreement Establishing the Common Fund for Commodities,<sup>40</sup>

*Reiterating its concern* at the slow rate of progress in the signing and ratification of the Agreement, and regretting that the Agreement did not enter into force on 30 September 1983.

1. *Reaffirms* its strong support for the Agreement Establishing the Common Fund for Commodities and for its early entry into force;

<sup>35</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 15 (A/38/15).*

<sup>36</sup> A/38/132-S/15675 and Corr.1 and 2, annex, sect. III.

<sup>37</sup> *Proceedings of the United Nations Conference on Trade and Development, Sixth Session, vol. I, Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), annex VI.

<sup>38</sup> *Ibid.* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

<sup>39</sup> A/38/487.

<sup>40</sup> United Nations publication, Sales No. E.81.II.D.8.

2. *Expresses the hope* that all States that have signed but not yet ratified, accepted or approved the Agreement will expedite the necessary action to that effect and strongly urges all States that have not yet done so to sign and ratify the Agreement without any further delay;

3. *Decides* to review the implementation of the present resolution at its thirty-ninth session.

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### **38/157. Long-term financial and institutional arrangements for the United Nations Financing System for Science and Technology for Development**

*The General Assembly,*

*Recalling* the Vienna Programme of Action on Science and Technology for Development<sup>41</sup> and General Assembly resolution 34/218 of 19 December 1979,

*Also recalling* its resolutions 36/183 of 17 December 1981 and 37/244 of 21 December 1982,

*Taking into account* the report of the Intergovernmental Committee on Science and Technology for Development on its fifth session,<sup>42</sup> in particular decision 4 (V) of 20 June 1983 on the establishment of the long-term financial and institutional arrangements for the United Nations Financing System for Science and Technology for Development,<sup>43</sup>

*Noting with appreciation* the support provided over the past four years by Governments to the Interim Fund and to the United Nations Financing System for Science and Technology for Development,

*Concerned* that it has not yet been possible to bring into full effect the provisions of resolution 37/244,

*Noting* that the informal open-ended meeting, called for by the Intergovernmental Committee in its decision 4 (V), indicates that a significant number of countries, developed and developing, are considering making financial contributions to the Financing System in an effort to attain the targets established by the General Assembly,

1. *Decides* that:

(a) The Secretary-General should be authorized to convene, in consultation with Governments, a pledging conference for the United Nations Financing System for Science and Technology for Development prior to the sixth session of the Intergovernmental Committee on Science and Technology for Development to enable interested Governments to announce their pledges for the first year and, if possible, to provide an indication of the amount they may contribute in the two following years;

(b) Thereafter, the Intergovernmental Committee will, at its sixth session, proceed to adopt decisions as required, including, if appropriate, the financing plan for the Financing System, and to elect the members of the Executive Board of the United Nations Financing System for Science and Technology for Development, as decided by the General Assembly in resolution 37/244;

(c) In the meantime, the existing operating procedures of the present Financing System shall continue;

2. *Decides also* that the period up to the convening of the pledging conference should be fully utilized for all nec-

essary consultations to bring about the successful outcome of the pledging conference and the establishment of the long-term financial and institutional arrangements for the Financing System;

3. *Invites* those Governments that are prepared to do so to indicate to the Secretary-General the amount of their financial contributions to the Financing System at the earliest possible time;

4. *Requests* the Secretary-General to continue to make all efforts to mobilize the support of Governments for the establishment of the long-term arrangements for the Financing System and appeals to all Governments to cooperate with the Secretary-General in this regard.

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### **38/158. Food problems**

*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, the Charter of Economic Rights and Duties of States, contained in its resolution 3281 (XXIX) of 12 December 1974, its resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation, and the International Development Strategy for the Third United Nations Development Decade, contained in the annex to its resolution 35/56 of 5 December 1980,

*Recalling* the Universal Declaration on the Eradication of Hunger and Malnutrition, as adopted by the World Food Conference,<sup>44</sup> and the Programme of Action adopted by the World Conference on Agrarian Reform and Rural Development,<sup>45</sup>

*Reaffirming* its resolutions 37/245 on the situation of food and agriculture in Africa, 37/246 on an international year for the mobilization of financial and technological resources for food and agriculture in Africa and 37/247 on food problems, of 21 December 1982,

*Recognizing* the need for keeping food and agriculture issues at the centre of the global agenda,

*Concerned* that the achievement of the food and agriculture objectives of developing countries is being severely constrained by the world-wide economic recession and political environment, and that those countries are faced with depressed prices in commodity markets, sluggish demand, restricted access to markets, declining concessional flows in real terms and protectionist policies, coupled with the obligations of servicing a large international debt and with monetary market instability,

*Expressing its deep concern* at the fact that a substantial part of world resources, material as well as human, continues to be diverted to armaments, which has a detrimental effect on international security and on efforts to achieve the new international economic order, including the solution of food problems, and calling upon Governments to take effective measures in the field of real disarmament that would increase the possibilities of the allocation of the resources now being used for military purposes to economic and social development, especially development of

<sup>41</sup> *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.

<sup>42</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 37 (A/38/37), part two.*

<sup>43</sup> *Ibid.*, annex, sect. B.

<sup>44</sup> *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

<sup>45</sup> See Food and Agriculture Organization of the United Nations, *Report of the World Conference on Agrarian Reform and Rural Development, Rome, 12-20 July 1979* (WCARRD/REP), part one.

developing countries, and to improving their food situation,

*Emphasizing* that food objectives should be pursued within the framework of national food strategies, plans and programmes and that food self-reliance is an essential element of national sovereignty and of political and social policy, that food security should be based, to the maximum extent feasible, on a vigorous domestic food sector and that, consequently, the development of the food sector should be recognized as a dynamic element in the economic development of the developing countries,

*Emphasizing* the need to adopt, according to priorities identified in the field of food and agriculture, comprehensive national and international measures with a view to realizing the aims and objectives of the International Development Strategy for the Third United Nations Development Decade in the promotion of food and agricultural development in the developing countries.

*Recognizing* that a substantial increase in the export earnings of developing countries is essential for the adequate financing of their overall economic development, including even their imports of food and agricultural inputs,

*Noting* the need for all countries, particularly the developed countries, to adopt policies designed to bring about the reduction and elimination of obstacles in order to avoid the disruption of international trade in agricultural products and to facilitate access to international markets for agricultural exports, especially those of developing countries,

*Noting with concern* the continuing hunger and malnutrition in many developing countries, especially in Africa and in the least developed countries,

*Concerned* about the anomaly of large crops and stock accumulation in some developed countries while many developing countries are facing problems of growing food deficits and hunger,

*Stressing* that measures taken by certain developed countries to reduce future food and agricultural production should not adversely affect the food problems faced by developing countries,

*Further concerned* about the uncertainty in the world food economy and the risks of an unstable supply and price situation in the international grain market,

*Calling* for progressive increases in grain production in developing countries to achieve a better balance in the production and distribution of global stocks,

1. *Welcomes* the conclusions and recommendations of the World Food Council at its ninth ministerial session,<sup>46</sup> in particular those relating to the regions of Africa, Asia and Latin America;

2. *Welcomes* the eighth annual report of the Committee on Food Aid Policies and Programmes;<sup>47</sup>

3. *Emphasizes* the need to consider the food problem in a comprehensive manner, in its technical, economic, commercial, financial and human dimensions;

4. *Reaffirms* that the right to food is a universal human right and that food should not be used as an instrument of political pressure;

5. *Expresses its concern* at the application of economic measures against some developing countries and urges that those measures be revoked as soon as possible and not be repeated in the future;

6. *Affirms* that peace and disarmament are conducive to improved economic conditions and enhanced food security;

7. *Notes with satisfaction* that integrated national food strategies, plans and programmes and the comprehensive food security concept are largely accepted by countries and development agencies;

8. *Endorses* the decision of the World Food Council to welcome the adoption by the Committee on World Food Security of the Food and Agriculture Organization of the United Nations of the enlarged and integrated concept of world food security, focusing on the adequacy of food supplies and production, stability in food supplies and markets, and security of access to supplies,<sup>48</sup> and calls for its widest possible implementation by the international community;

9. *Reaffirms* that national food strategies, plans and programmes should play a central role in the process of establishing priorities, in co-ordinating national and international funding and the application of technology, promoting food production and increasing the national food self-reliance of the developing countries;

10. *Emphasizes* the role of farm women as part of the rural family, calls for more policy attention to the role of women in relation to food systems, and stresses the need to involve women in the formulation and implementation of national food strategies, plans and programmes;

11. *Underlines* the role of developing countries in the formulation and implementation of national food and agricultural policies and programmes and the importance of international support measures, including the mobilization of necessary financial resources;

12. *Calls upon* the developed countries, international institutions and others able to provide development assistance to provide urgently the necessary technical and financial resources to support the efforts of developing countries to achieve self-defined national food objectives for the eradication of hunger and malnutrition;

13. *Reaffirms* that increased food production is one of the most important elements in meeting the food needs of the developing countries;

14. *Invites* Governments concerned to adopt direct hunger-reduction measures integrated with productive development within the framework of national strategies and policies, including, *inter alia*, more assistance to rural development to reach smallholder producers and cooperatives, special attention to the needs of women farmers, investment in human capacities through programmes for mothers and children, the creation of productive employment for poor landless families and an increase in food aid;

15. *Expresses its concern* at the expanding food-import requirements of the developing countries, particularly the least developed, which underline the gravity of the problem and the importance of food aid both as a temporary relief measure and as a resource for food and agricultural development;

16. *Urges* that, in the implementation of food aid policies and programmes, a greater volume of food and agricultural products be acquired from food-exporting developing countries, where appropriate, including through triangular transactions;

17. *Calls* for adequate and continuous flows of resources for the World Bank, the International Fund for Agricultural Development and the regional development

<sup>46</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 19 (A/38/19)*, part one.

<sup>47</sup> WFP/CFA: 15/19; transmitted to the Economic and Social Council as document E/1983/92.

<sup>48</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 19 (A/38/19)*, part one, para. 44.

banks, whose work in food and agricultural development is important and effective in providing to the developing countries, in particular the least-developed countries, additional development assistance to implement more effective incentives and programmes directed towards increasing food production and towards raising nutritional standards;

18. *Stresses* the need for substantial and timely replenishments of the International Development Association to enable it to increase its assistance to all its recipient countries in the development of food and agriculture;

19. *Calls upon* the relevant organizations of the United Nations system to accord priority support to economic and technical co-operation among developing countries with regard to food and agriculture;

20. *Emphasizes* the importance of research and the exchange of information on scientific research and technological progress for the purposes of the development of food production, and calls upon the international community to provide to the developing countries increased financial and technical assistance in the area of agricultural research and to take appropriate measures to promote the transfer of technology in regard to the improvement of farming methods, including support to activities in these areas relating to technical co-operation among developing countries;

21. *Calls upon* the international community to accord continuing and increasing support towards improving global food security and for the elimination of hunger and malnutrition;

22. *Recognizes* that the expansion of exports, particularly from developing countries, is an important element of food security and calls for additional measures by developed countries to liberalize agricultural trade;

23. *Calls* for improved international co-operation by countries exporting and importing cereals, relating to their food trade, production and stocking policies, in order, *inter alia*, to avoid instability in the international cereals market adversely affecting developing countries;

24. *Urges* all Governments concerned to consider within the International Wheat Council, at its next session, the early resumption of the United Nations Conference to Negotiate an International Arrangement to Replace the International Wheat Agreement of 1971, as extended, in order to conclude as soon as possible a new agreement that will contribute to the efficient operation of the international wheat market, taking into account the interests of developing countries;

25. *Calls upon* the international community to support, through the mobilization of financial and other resources, the efforts of developing countries to strengthen their stocking programmes in cases where those countries have expressed the need to build food reserves;

26. *Expresses the urgent need* to find multilateral solutions to the problems of trade, access, competition and supply relating to agricultural products and calls upon the relevant institutions to find appropriate solutions, taking particularly into account the special needs and circumstances of developing countries;

27. *Endorses* the new target approved by the Committee on Food Aid Policies and Programmes for the biennium 1985-1986 of \$1.35 billion for the regular resources of the World Food Programme,<sup>49</sup> and calls upon traditional and new contributing countries to ensure its timely achievement;

28. *Supports* the appeal launched by the Food and Agriculture Organization of the United Nations in favour of the African countries threatened by food shortages, and urges the international community to respond generously to that appeal, in particular by increasing on an emergency basis its assistance in food aid and agricultural inputs;

29. *Takes note* of the progress made in the implementation of the Programme of Action, as adopted by the World Conference on Agrarian Reform and Rural Development,<sup>45</sup> and looks forward to the comprehensive review to be submitted to the Economic and Social Council in 1984 on progress in agrarian reform and rural development;

30. *Calls upon* the Governments concerned to implement agrarian reform and rural development within the framework of their national plans and objectives and in accordance with the recommendations, as adopted, of the World Conference on Agrarian Reform and Rural Development;

31. *Supports* the establishment of regional mechanisms to reduce food vulnerability, malnutrition and under-nutrition and, in this context, welcomes the recent establishment of the Action Committee for Regional Food Security;

32. *Stresses* the importance of fisheries development for the expansion of food supplies and nutritional improvements and endorses the initiative by the Food and Agriculture Organization of the United Nations to convene in 1984 a World Conference on Fisheries Management and Development;

33. *Emphasizes* the importance of stock breeding and fisheries development in the food strategies, plans and programmes of developing countries and calls upon the international community to continue to provide relevant international bodies with the necessary resources for the completion of studies in those areas in order to increase their contribution to the development of the food and agriculture sector;

34. *Takes note with satisfaction* of the preparation by the World Food Council, for its tenth session in 1984, of a special assessment of progress made and the tasks ahead to achieve the objectives of the 1974 World Food Conference;<sup>50</sup>

35. *Urges* the World Food Council, within the context of its mandate, to mobilize and sustain greater efforts in the struggle to overcome hunger, to continue to review and report on major problems and policy issues and to continue to serve as a co-ordinating mechanism in the field of food and other related policy matters within the United Nations system.

*102nd plenary meeting  
19 December 1983*

### **38/159. Critical situation of food and agriculture in Africa**

*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,

<sup>49</sup> See WFP/CFA: 15/19, para. 42.

<sup>50</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 19 (A/38/19)*, part one, para. 7.

Recalling the International Development Strategy for the Third United Nations Development Decade, contained in the annex to its resolution 35/56 of 5 December 1980, in which the General Assembly emphasized agricultural and rural development and the eradication of hunger and malnutrition as being among the principal objectives of the Decade,

Recalling also the Programme of Action of the World Food Conference,<sup>51</sup> containing the Universal Declaration on the Eradication of Hunger and Malnutrition adopted by the Conference,<sup>52</sup> and the Declaration of Principles and Programme of Action adopted by the World Conference on Agrarian Reform and Rural Development,<sup>53</sup>

Recalling further its resolutions 35/69 of 5 December 1980, 36/186 of 17 December 1981 and 37/245 of 21 December 1982 on the situation of food and agriculture in Africa,

Recognizing the high priority attached to food and agriculture and the commitment and determination of Africa to devote its limited resources on a priority basis to agricultural development, as reflected in and in accordance with the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa,<sup>54</sup>

Noting with grave concern that, over the past two decades, the situation of food and agriculture in Africa has undergone a drastic deterioration, resulting in a decline in food production per capita with detrimental effects on dietary standards, which are well below the minimum requirements, as well as in an alarming increase in the number of people exposed to malnutrition, hunger and starvation,

Gravely concerned at the increasing and painful drain of scarce foreign exchange resulting from the growing dependence of African countries on food imports owing to the critical food shortage, which has had a detrimental effect on their overall development,

Deeply concerned also at the unabated encroachment of the desert and the recurring problem of drought in many countries of Africa, which have continued to accentuate the food problem on that continent,

Recognizing that the food supply crisis has been further exacerbated by such factors as poor rainfall, brushfires, unusually severe crop infestation, epidemics of animal diseases and chronic shortages of production inputs,

Recognizing that the responsibility for the development of food and agricultural production lies primarily with the developing countries themselves and that there is an increasing effort and growing commitment by the developing countries to accelerate the development of their food and agricultural sectors,

Recognizing the role of food-sector strategies, which emerged from the World Food Council as a means for interested developing countries to adopt an integrated approach for increasing food production, improving consumption and attracting the necessary additional international resources,

Reaffirming the call in the Lagos Plan of Action regarding the application of policies providing incentives for increasing production, particularly for small farmers, while at the same time safeguarding the interests of the poorer consumers,

Convinced that increased international support to combat drought, desertification, epidemics of animal diseases, crop infestation and post-harvest losses, among other problems, is crucial to the attainment of food self-sufficiency in Africa,

Further convinced that international support measures can reinforce the efforts of the African countries to resolve the technological, managerial and financial resource gaps impeding food and agricultural production in Africa,

Noting with serious concern that the findings of the Special FAO/WFP Task Force established by the Director-General of the Food and Agriculture Organization of the United Nations and the Executive Director of the World Food Programme have further highlighted the worsening food supply crisis, which has resulted in increased hunger and malnutrition affecting as many as 150 million people in twenty-two African countries,

Noting with deep concern that the high-level meeting of the African countries concerned and of the potential donor countries, convened by the Director-General of the Food and Agriculture Organization of the United Nations in Rome on 19 October 1983, has not so far resulted in the significant additional food aid resources needed, which have been estimated by the Special FAO/WFP Task Force at 3.2 million tons, of which a minimum of 1 million tons should be provided in the months ahead, including 700,000 tons to be provided on an emergency basis in the next few months in order to maintain supplies to the twenty-two affected countries,

Noting the current unfavourable world economic situation, reflected in, *inter alia*, weak foreign export markets, balance-of-payments deficits and high interest rates, which, together with, in certain cases, a stagnation in aid and other related factors, have seriously undermined the ability of African countries both to sustain a reasonable level of food and agricultural production and to cover food deficits through commercial imports,

1. Reaffirms its resolutions 35/69, 36/186 and 37/245 and calls for their full implementation on an urgent basis;

2. Takes note of the reports of the Secretary-General on the situation of food and agriculture in Africa<sup>55</sup> and on the state of technology for food and agriculture in Africa;<sup>56</sup>

3. Welcomes the conclusions and recommendations of the World Food Council at its ninth ministerial session,<sup>57</sup> in particular those relating to the African region;

4. Takes note with appreciation of the timely and important initiative of the Director-General of the Food and Agriculture Organization of the United Nations in convening a special meeting on the African food supply situation and urges the international community to respond favourably and immediately to the appeal made by the Director-General for alleviation of the present critical food supply situation in Africa;

5. Supports the urgent appeal launched by the Food and Agriculture Organization of the United Nations in favour of the twenty-two African countries threatened by food shortages, and urges the international community to respond generously to that appeal by providing the additional food aid required, which has been estimated by the Special FAO/WFP Task Force at 3.2 million tons, of which a minimum of 1 million tons should be provided in the months ahead, including 700,000 tons to be immediately provided to maintain food supplies in the affected

<sup>51</sup> See *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), part one.

<sup>52</sup> *Ibid.*, chap. I.

<sup>53</sup> See Food and Agriculture Organization of the United Nations, *Report of the World Conference on Agrarian Reform and Rural Development, Rome, 12-20 July 1979* (WCARRD/REP), part one.

<sup>54</sup> A/S-11/14, annex I.

<sup>55</sup> A/38/377.

<sup>56</sup> A/38/280-E/1983/93.

<sup>57</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 19* (A/38/19), part one.

countries, as well as \$76 million in agricultural inputs for the rehabilitation of agriculture and animal husbandry;

6. *Recognizes* the role of the international community, the Food and Agriculture Organization of the United Nations, the World Food Programme, the World Food Council, the International Fund for Agricultural Development and the World Bank in mobilizing food aid and agricultural assistance for Africa, and requests existing and new donor countries to increase the resources required to meet African needs for food aid and agricultural development;

7. *Urges* all the countries of Africa to continue to accord priority to food and agriculture, in accordance with their national development plans and programmes, and to continue to implement measures to raise substantially their food and agricultural production in keeping with the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa, and in this context reaffirms the important role that national food strategies, plans and programmes could play in this process;

8. *Urges* the international community to supplement, through increased financial and technical assistance, on a priority and long-term basis, the national efforts of African countries to achieve the goals and objectives set forth in the Lagos Plan of Action relevant to food and agriculture,<sup>58</sup> taking into account the recommendations of the African Ministers for Food and Agriculture at the Twelfth FAO Regional Conference for Africa,<sup>59</sup> in particular the following objectives:

(a) Significant improvement in their food situation and laying of the foundations for the attainment of self-sufficiency in cereals, livestock and fish;

(b) Significant progress towards attaining a 50 per cent reduction in post-harvest losses, through, *inter alia*, the construction of storage facilities;

(c) Improved transport infrastructure to facilitate food distribution at the national, subregional and regional levels;

(d) Support of indigenous research efforts through expanded and more effective agricultural research, with special emphasis on animal husbandry, improved seeds and an adequate supply of fertilizers, pesticides and other chemicals suitable to African conditions;

9. *Further urges* all relevant organs, organizations and bodies of the United Nations system to expand their training programmes for the building up of national capabilities for the preparation, execution, monitoring and evaluation of agricultural sector projects;

10. *Calls upon* the international community to continue to support efforts undertaken by African countries at the national, subregional and regional levels to increase food production through, *inter alia*, the provision, on a priority and long-term basis, of additional financial and technical assistance to Africa by organizations of the United Nations system, such as the International Fund for Agricultural Development, the United Nations Development Programme and other organizations involved in the financing of agriculture development, and through an increase in lending by the World Bank to the agricultural sector in Africa;

11. *Recognizes* that an international year for the mobilization of financial and technological resources for food and agriculture in Africa would be a useful mechanism for focusing international attention on the problem

and could accelerate the process that would lead to a significant improvement of food and agricultural production in Africa;

12. *Notes* that the report of the Secretary-General on the state of technology for food and agriculture in Africa<sup>56</sup> was incomplete in certain respects and that data are still being gathered, and requests that an updated report be submitted to the General Assembly at its fortieth session, through the Economic and Social Council;

13. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session, through the Economic and Social Council at its second regular session of 1984, a progress report on the implementation of the present resolution.

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### 38/160. Co-operation between the United Nations and the Southern African Development Co-ordination Conference

*The General Assembly,*

*Recalling* its resolution 37/248 of 21 December 1982, by which it, *inter alia*, requested the Secretary-General to take appropriate measures to promote co-operation between the organs, organizations and bodies of the United Nations system and the Southern African Development Co-ordination Conference,

*Having considered* the report of the Secretary-General on co-operation between the United Nations and the Southern African Development Co-ordination Conference,<sup>60</sup>

*Noting* that some progress has been made by some organs, organizations and bodies of the United Nations system in formulating co-operation programmes with the Conference,

*Noting* that some organs, organizations and bodies of the United Nations system are exploring ways and means of forging co-operation links with the Conference,

1. *Welcomes* the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 37/248;<sup>61</sup>

2. *Commends* the organs, organizations and bodies of the United Nations system that have already established contacts with the Southern African Development Co-ordination Conference, in response to resolution 37/248, and urges them to intensify positively such contacts in order to accelerate the achievement of the objectives envisaged in that resolution;

3. *Appeals* to all organs, organizations and bodies of the United Nations system that have not as yet done so to consult constructively with the secretariat of the Conference to ensure full implementation of resolution 37/248;

4. *Requests* the Secretary-General, in consultation with the Executive Secretary of the Conference, to take appropriate measures to promote and harmonize contacts between the United Nations and the Conference;

5. *Further requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the implementation of the present resolution.

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<sup>58</sup> A/S-11/14, annex I, chap. I.

<sup>59</sup> See Food and Agriculture Organization of the United Nations, *Report of the Twelfth FAO Regional Conference for Africa, Algiers, 22 September-2 October 1982* (ARC/82/REP).

<sup>60</sup> A/38/493.

<sup>61</sup> *Ibid.*, sect. III.



**38/161. Process of preparation of the Environmental Perspective to the Year 2000 and Beyond**

*The General Assembly,*

Recalling the importance it has attached at previous sessions to the development of the Environmental Perspective to the Year 2000 and Beyond,

Recalling also its request to the Governing Council of the United Nations Environment Programme at its eleventh session to make concrete recommendations to the General Assembly at its thirty-eighth session, through the Economic and Social Council at its second regular session of 1983, on the modalities for preparing the Environmental Perspective,<sup>62</sup>

1. *Notes with satisfaction* decision 11/3 of the Governing Council of the United Nations Environment Programme on the process of preparation of the Environmental Perspective to the Year 2000 and Beyond, adopted on 23 May 1983;<sup>63</sup>

2. *Welcomes* the desire of the Governing Council to develop the Environmental Perspective and transmit it to the General Assembly for adoption, benefiting in carrying out that function from its consideration of the relevant proposals made by a special commission;

3. *Approves* the decision of the Governing Council to establish, in order to assist it in fulfilling its mandate in regard to the Environmental Perspective and to report to it in that respect, an intergovernmental inter-sessional preparatory committee to articulate to the special commission at an early stage in its work the Governing Council's expectations regarding the matters which it hopes will, *inter alia*, receive consideration by the commission and, in this connection:

(a) *Notes* that the commission, at a preliminary stage in the formulation of its conclusions on matters within the mandate and purview of the United Nations Environment Programme, should make them known to the committee with a view to giving consideration to any views of the committee thereon;

(b) *Notes* from paragraph 41 of the report of the Governing Council on its eleventh session<sup>64</sup> that the cost of the intergovernmental inter-sessional preparatory committee will not result in any net increase in the regular budget of the United Nations;

4. *Also welcomes* the intention of a number of Governments to support the preparation of the Environmental Perspective by facilitating the establishment of the special commission, through the provision of voluntary contributions for its financing;

5. *Requests* the Secretary-General, in consultation with the Executive Director of the United Nations Environment Programme and with Governments, and after such other appropriate consultations as they deem necessary, to appoint the Chairman and Vice-Chairman of the special commission, who will subsequently select the members of that commission and accordingly establish the special commission, which should co-operate closely with the intergovernmental inter-sessional preparatory committee; the Chairman and Vice-Chairman should have experience of policy-making at the highest level, demonstrated interest in environmental and developmental issues and the capacity to attract attention to the work of the commission, and should represent both developed and developing countries;

6. *Expresses its view* that the Chairman and the Vice-Chairman, in selecting the members of the special com-

mission, should take fully into account the need for appropriate geographical distribution and regional balance in membership and the importance of ensuring that at least half of the members of the commission are from the developing countries, as well as the need to consult as appropriate with representatives of Governments, intergovernmental and non-governmental organizations, industry, the scientific community and others concerned with the environment;

7. *Requests* the Executive Director to establish an interim special account under the financial regulations of the United Nations to which voluntary contributions would be credited and from which disbursements would be made for the purposes of the establishment of the special commission, custody over and responsibility for the account to be transferred to that commission, in accordance with its procedures, upon its establishment;

8. *Suggests* that the special commission, when established, should focus mainly on the following terms of reference for its work:

(a) To propose long-term environmental strategies for achieving sustainable development to the year 2000 and beyond;

(b) To recommend ways in which concern for the environment may be translated into greater co-operation among developing countries and between countries at different stages of economic and social development and lead to the achievement of common and mutually supportive objectives, which take account of the interrelationships between people, resources, environment and development;

(c) To consider ways and means by which the international community can deal more effectively with environmental concerns, in the light of the other recommendations in its report;

(d) To help to define shared perceptions of long-term environmental issues and of the appropriate efforts needed to deal successfully with the problems of protecting and enhancing the environment, a long-term agenda for action during the coming decades, and aspirational goals for the world community, taking into account the relevant resolutions of the session of a special character of the Governing Council in 1982;<sup>65</sup>

9. *Further suggests* that, in fulfilling its terms of reference, the special commission should:

(a) Maintain an exchange of views with the scientific community, environmentalists and all other sections of public opinion, particularly youth, concerned with the environment, and those concerned with the relationship between development and environment;

(b) Receive the views of Governments, principally through the Governing Council and its intergovernmental inter-sessional preparatory committee, and through contacts with national leaders, opinion makers and concerned international figures;

(c) Maintain links with other intergovernmental bodies within and outside the United Nations system, while, however, using the Administrative Committee on Co-ordination and the designated officials for environmental matters as the channels of communication with the United Nations system; the willingness of the Administrative Committee on Co-ordination to assist should be communicated to the commission;

(d) Take account of the scope of environmental issues as defined by the United Nations system-wide medium-

<sup>62</sup> Resolution 37/219.

<sup>63</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 25 (A/38/25)*, annex.

<sup>64</sup> *Ibid.*, Supplement No. 25 (A/38/25).

<sup>65</sup> *Ibid.*, Thirty-seventh Session, Supplement No. 25 (A/37/25), part one, annex 1.

term environment programme<sup>66</sup> and as reflected in the efforts of the United Nations system, including the United Nations Environment Programme, in the field of the environment;

(e) Make full use of relevant existing reports and material;

10. *Considers* that the special commission should make available a report on environment and the global *problématique* to the year 2000 and beyond, including proposed strategies for sustainable development, within a period of two years from its establishment;

11. *Decides* that, on matters within the mandate and purview of the United Nations Environment Programme, the report of the special commission should in the first instance be considered by the Governing Council of the Programme, for transmission to the General Assembly together with its comments and for use as basic material in the preparation, for adoption by the Assembly, of the Environmental Perspective;

12. *Further decides* that, on those matters which are under consideration or review by the General Assembly itself, the Assembly will consider the relevant aspects of the report of the special commission;

13. *Recognizes* that the special commission may in addition address its report, after consideration by the Governing Council or the intergovernmental inter-sessional preparatory committee, to other forums, intergovernmental and non-governmental, or to Governments, individuals and the general public, as it sees fit, it being understood that the report of the commission will not be binding on Governments.

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### 38/162. Remnants of war

*The General Assembly,*

*Recalling* its resolutions 3435 (XXX) of 9 December 1975, 35/71 of 5 December 1980, 36/188 of 17 December 1981 and 37/215 of 20 December 1982 concerning the problem of remnants of war,

*Recalling also* decisions 80 (IV) of 9 April 1976,<sup>67</sup> 101 (V) of 25 May 1977,<sup>68</sup> 9/5 of 25 May 1981<sup>69</sup> and 10/8 of 28 May 1982<sup>70</sup> of the Governing Council of the United Nations Environment Programme,

*Recalling further* resolution 32 adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976,<sup>71</sup> and resolution 26/11-P adopted by the Eleventh Islamic Conference of Foreign Ministers, held at Islamabad from 17 to 22 May 1980,<sup>72</sup>

*Convinced* that the responsibility for the removal of the remnants of war should be borne by the countries that planted them,

*Recognizing* that the presence of the material remnants of war, particularly mines, in the territories of developing countries seriously impedes their development efforts and causes loss of life and property,

<sup>66</sup> UNEP/GC.10/7 and Corr.1.

<sup>67</sup> See *Official Records of the General Assembly, Thirty-first Session, Supplement No. 25 (A/31/25)*, annex I.

<sup>68</sup> *Ibid.*, *Thirty-second Session, Supplement No. 25 (A/32/25)*, annex I.

<sup>69</sup> *Ibid.*, *Thirty-sixth Session, Supplement No. 25 (A/36/25 and Corr.1)*, annex I.

<sup>70</sup> *Ibid.*, *Thirty-seventh Session, Supplement No. 25 (A/37/25)*, part two, annex.

1. *Takes note* of the report of the Secretary-General<sup>73</sup> and the study annexed thereto concerning the problem of remnants of war;

2. *Regrets* that no concrete measures have been taken to solve the problem of remnants of war despite the various resolutions and decisions adopted thereon by the General Assembly and the Governing Council of the United Nations Environment Programme;

3. *Reiterates its support* of the just demands of the developing countries affected by the implantation of mines and the presence of other remnants of war in their territories for full compensation from the States responsible for those remnants;

4. *Requests* the Secretary-General, in co-operation with the Executive Director of the United Nations Environment Programme, to continue to seek the views of States on the recommendations contained in section VIII of the study annexed to his report;

5. *Also requests* the Secretary-General to intensify his efforts to urge the States concerned to conduct bilateral consultations immediately, with the aim of concluding, as soon as possible, agreements for the solution of this problem, it being understood that the legitimate right of the affected developing countries to full compensation for damages due to them shall be ensured;

6. *Calls upon* all States to co-operate with the Secretary-General in carrying out the tasks requested of him in paragraphs 4 and 5 above, so as to enable him, in co-operation with the Executive Director of the United Nations Environment Programme, to submit to the General Assembly at its thirty-ninth session a report on the results of his consultations and endeavours with the States concerned.

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### 38/163. Study on financing the Plan of Action to Combat Desertification

*The General Assembly,*

*Recalling* its resolutions 32/172 of 19 December 1977, 33/89 of 15 December 1978, 34/184 of 18 December 1979, 36/191 of 17 December 1981 and 37/220 of 20 December 1982, dealing with the implementation and financing of the Plan of Action to Combat Desertification,<sup>74</sup>

*Having considered* the report of the Secretary-General<sup>75</sup> on financing the Plan of Action to Combat Desertification,

1. *Takes note* of the report of the Secretary-General;

2. *Notes* that again very few replies were received from Governments in response to paragraph 3 of General Assembly resolution 37/220, thus not permitting the Secretary-General to prepare, in co-operation with the Executive Director of the United Nations Environment Programme, the report requested in paragraph 5 of that resolution;

3. *Requests again* all Member States that have not yet provided their comments to the Secretary-General on the feasibility studies and concrete recommendations for the implementation of the additional measures of financing, as

<sup>71</sup> See A/31/197, annex IV, sect. B.

<sup>72</sup> See A/35/419-S/14129, annex I.

<sup>73</sup> A/38/383.

<sup>74</sup> *Report of the United Nations Conference on Desertification, Nairobi, 29 August–9 September 1977 (A/CONF.74/36)*, chap. I.

<sup>75</sup> A/38/403.

well as on the modalities for obtaining financial resources, as described in the annex to the report of the Secretary-General of 1 October 1981,<sup>76</sup> to do so as soon as possible;

4. *Also requests* all Member States that have not yet provided their comments to the Secretary-General on the expert feasibility study and working plan for the establishment of an international financial corporation to finance non-commercial measures to combat desertification, contained in chapter V of the annex to his report,<sup>76</sup> also to do so as soon as possible, particularly with respect to:

- (a) The establishment of the corporation;
- (b) Their interest in participating financially therein;

5. *Further requests* the Secretary-General, in cooperation with the Executive Director of the United Nations Environment Programme, to report to the General Assembly at its fortieth session on the implementation of the present resolution.

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### 38/164. Implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification

*The General Assembly,*

*Recalling* its resolutions 36/190 of 17 December 1981 and 37/216 of 20 December 1982.

*Noting* part seven, section B, paragraph 5, of decision 11/7 of 24 May 1983 of the Governing Council of the United Nations Environment Programme<sup>77</sup> on the implementation of the Plan of Action to Combat Desertification in the Sudano-Sahelian region,<sup>74</sup>

*Noting also* Economic and Social Council resolution 1983/68 of 29 July 1983 on the climatic situation and drought in Africa,

*Having considered* the report of the Governing Council of the United Nations Environment Programme<sup>78</sup> on the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification,

1. *Takes note* of the report of the Governing Council of the United Nations Environment Programme;
2. *Expresses its satisfaction* with the progress made by the United Nations Sudano-Sahelian Office, on behalf of the United Nations Environment Programme, under a joint venture between the United Nations Environment Programme and the United Nations Development Programme, to assist the Governments of the region in implementing the Plan of Action to Combat Desertification;
3. *Requests* the Governing Council of the United Nations Environment Programme and the Governing Council of the United Nations Development Programme to continue to provide adequate support for the United Nations Sudano-Sahelian Office in order to enable it to respond more adequately to the pressing needs of the countries of the Sudano-Sahelian region;
4. *Invites* the Governing Council of the United Nations Environment Programme to examine, at its twelfth session, the possibility of including Ghana and Togo in the list of countries which receive assistance through the United Nations Sudano-Sahelian Office in implementing in the Sudano-Sahelian region the Plan of

Action to Combat Desertification and to report on this matter to the General Assembly at its thirty-ninth session;

5. *Expresses its gratitude* to the Governments, agencies of the United Nations system, intergovernmental organizations and other organizations that have contributed to the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification;

6. *Urges* all Governments to respond favourably to requests for assistance from the Governments of the Sudano-Sahelian region in combating desertification;

7. *Requests* the Governing Council of the United Nations Environment Programme to continue to report annually to the General Assembly, through the Economic and Social Council, on the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification.

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### 38/165. International co-operation in the field of the environment

*The General Assembly,*

*Having considered* the report of the Governing Council of the United Nations Environment Programme on the work of its eleventh session,<sup>79</sup>

*Taking note* of Economic and Social Council decision 1983/168 of 25 July 1983 on international co-operation on the environment,

*Noting also* the report of the Executive Director of the United Nations Environment Programme on international conventions and protocols in the field of the environment,<sup>80</sup> together with the sixth supplement to the register of such conventions and protocols,<sup>81</sup>

*Bearing in mind* the involvement of all countries in the protection of the environment with a view to enhancing the quality of life for future generations,

*Aware* that the continuing increase in the production, stockpiling and risk of use of weapons of mass destruction and the development of new types of weapons not only pose a major threat to the environment and even to life on Earth, but also compete for limited resources that could be better used for constructive purposes, including development,

*Reaffirming* the need to strengthen international co-operation in the field of the environment, particularly in order to deal with the most serious environmental problems of the developing countries in line with the International Development Strategy for the Third United Nations Development Decade,<sup>82</sup>

*Bearing in mind* the interrelationships between people, resources, environment and development and convinced of the importance of assessing those interrelationships as they relate to international co-operation for development,

*Recalling* the catalytic mandate and role of the United Nations Environment Programme with regard to international co-operation in the field of the environment, especially with regard to integrating environmental considerations into the development process,

1. *Takes note* of the report of the Governing Council of the United Nations Environment Programme on the

<sup>76</sup> A/36/141.

<sup>77</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 25 (A/38/25), annex.*

<sup>78</sup> A/38/304, annex.

<sup>79</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 25 (A/38/25).*

<sup>80</sup> A/38/305, annex I.

<sup>81</sup> *Ibid.*, annex II.

<sup>82</sup> Resolution 35/56, annex, paras. 156–158.

work of its eleventh session and the decisions contained therein;<sup>83</sup>

2. *Welcomes* section II of Governing Council decision 11/1 of 24 May 1983, in which it decided, *inter alia*, that the topic to be considered in the 1984 report on the state of the environment would be "The environment in the dialogue between and among developed and developing countries";

3. *Takes note* of sections V and VI of Governing Council decision 11/1, which relate to the convening of an international conference on world industry and environmental management and a parliamentary conference on the environment;

4. *Takes note with appreciation* of Governing Council decision 11/2 of 23 May 1983 on the periodicity and duration of Governing Council sessions and endorses the decision that there shall be no session of the Governing Council in 1986, on an experimental basis, and that in 1987 the Governing Council shall decide finally on either of the two options for the periodicity of its sessions in the light of the experience gained in the previous years;

5. *Also takes note* of Governing Council decision 11/5 of 23 May 1983 on the impacts of *apartheid* on the environment, directed at promoting public awareness of the plight of the victims of *apartheid*;

6. *Welcomes* part one of Governing Council decision 11/7 of 24 May 1983, by which the Council, while setting priorities for its implementation, approved the programme budget for the first biennium of the system-wide medium-term environment programme, 1984-1985, as an overall framework for activities of the United Nations Environment Programme during that period, and invites Governments participating in relevant governing bodies of specialized agencies and other organizations of the United Nations system to endeavour to take the provisions of the system-wide medium-term environment programme fully into account in their consideration of related issues, so as to achieve the full implementation of the system-wide programme;

7. *Welcomes* the importance attached by the Governing Council to regional approaches and programmes in the field of international environment co-operation, as reflected in its decisions 11/7, 11/8 and 11/9 of 24 May 1983;

8. *Welcomes* section VIII of Governing Council decision 11/1, in which the Council decided to devote two days, during its twelfth session, to a detailed assessment of the implementation of the Plan of Action to Combat Desertification,<sup>84</sup> which will include a thorough analysis of the state of implementation of the principal components of the Plan, the lessons learned and the priorities for future action;

9. *Decides* to expand the mandate of the Consultative Group for Desertification Control to include information exchange on anti-desertification policies and programmes of its participants, in addition to its basic mandate as set out in General Assembly resolution 32/172 of 19 December 1977;

10. *Welcomes* the progress made in the implementation of the Montevideo Programme for the Development and Periodic Review of Environmental Law<sup>85</sup> and appeals to Governments to participate actively in the Pro-

gramme and provide adequate financial resources or facilities in order to achieve its full and timely implementation;

11. *Reaffirms* the need for strengthening the coordinating role of the United Nations Environment Programme and the need for additional resources to assist developing countries in dealing with serious environmental problems, and urges the Executive Director of the Programme, in consultation with Governments and international organizations concerned, to accelerate and intensify his efforts in this field;

12. *Urges* the Executive Director of the United Nations Environment Programme to facilitate the provision of expert assistance to and among developing countries, at their request, in the preparation, monitoring and evaluation of priority environmental programmes and projects, including the application of environmental impact assessment, and in promoting and increasing the exchange of information and experience with respect to the integration of environmental considerations into development activities;

13. *Expresses its appreciation* to Governments that have contributed to the Fund of the United Nations Environment Programme, particularly to those that have done so for the first time in 1982 and 1983 and those that have increased their contributions for those years, and also to those countries which have changed their yearly payment procedures in order to make their contributions available as early as possible;

14. *Notes with deep concern*, however, the very meagre pledges to the Fund so far received from Governments and strongly appeals to all Governments to pledge their contributions as soon as possible for 1984, and where possible for 1985, preferably before the end of 1983.

*102nd plenary meeting  
19 December 1983*

### **38/166. Living conditions of the Palestinian people in the occupied Palestinian territories**

*The General Assembly.*

*Recalling* the Vancouver Declaration on Human Settlements, 1976,<sup>86</sup> and the relevant recommendations for national action<sup>87</sup> adopted by Habitat: United Nations Conference on Human Settlements,

*Recalling also* resolution 3, entitled "Living conditions of the Palestinians in occupied territories", contained in the recommendations for international co-operation adopted by Habitat: United Nations Conference on Human Settlements,<sup>88</sup>

*Recalling further* its resolution 37/222 of 20 December 1982,

*Taking note* of resolution 6/2 adopted by the Commission on Human Settlements on 4 May 1983,<sup>89</sup>

*Gravely alarmed* by the continuation of the Israeli settlement policies, which have been declared null and void and a major obstacle to peace,

1. *Takes note* of the report of the Secretary-General on the living conditions of the Palestinian people in the occupied Palestinian territories;<sup>90</sup>

<sup>83</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 25 (A/38/25)*, annex.

<sup>84</sup> *Report of the United Nations Conference on Desertification, Nairobi, 29 August-9 September 1977 (A/CONF.74/36)*, chap. I.

<sup>85</sup> UNEP/GC.10/5/Add.2 and Corr.1 and 2, annex, chap. II.

<sup>86</sup> *Report of Habitat: United Nations Conference on Human Settlements, Vancouver, 31 May-11 June 1976* (United Nations publication, Sales No. E.76.IV.7 and corrigendum), chap. I.

<sup>87</sup> *Ibid.*, chap. II.

<sup>88</sup> *Ibid.*, chap. III.

<sup>89</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 8 (A/38/8)*, annex I.

<sup>90</sup> A/38/278-E/1983/77.

2. *Takes note also* of the statement made on 1 November 1983 by the observer of the Palestine Liberation Organization;<sup>91</sup>

3. *Rejects* the Israeli plans and actions intended to change the demographic composition of the occupied Palestinian territories, particularly the increase and expansion of the Israeli settlements, and other plans and actions creating conditions leading to the displacement and exodus of Palestinians from the occupied Palestinian territories;

4. *Expresses its alarm* at the deterioration in the living conditions of the Palestinian people in the Palestinian territories occupied since 1967 as a result of the Israeli occupation;

5. *Affirms* that the Israeli occupation is contradictory to the basic requirements for the social and economic development of the Palestinian people in the occupied West Bank and the Gaza Strip;

6. *Calls upon* the Israeli occupation authorities to give United Nations experts access to the occupied Palestinian territories;

7. *Recognizes* the need for a comprehensive report on the impact of the Israeli settlements on the living conditions of the Palestinian people in the occupied Palestinian territories;

8. *Requests* the Secretary-General to prepare and submit to the General Assembly at its thirty-ninth session, through the Economic and Social Council, a comprehensive report on the current and future impact of the Israeli settlements on the living conditions of the Palestinian people in the occupied Palestinian territories, including a comparison between the living conditions of the latter and those of the residents of the Israeli settlements.

*102nd plenary meeting  
19 December 1983*

### 38/167. Human settlements

#### A

#### REPORT OF THE COMMISSION ON HUMAN SETTLEMENTS

*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 32/162 of 19 December 1977 on institutional arrangements for international co-operation in the field of human settlements and 34/116 of 14 December 1979 on the strengthening of human settlements activities,

*Taking note* of Economic and Social Council decision 1983/169 of 25 July 1983 on international co-operation in the field of human settlements,

*Having considered* the report of the Commission on Human Settlements on the work of its sixth session,<sup>92</sup>

1. *Takes note* of the report of the Commission on Human Settlements;

2. *Commends* the Commission on Human Settlements on the effective manner in which it continues to discharge its mandate in assisting Governments to address the serious problems of human settlements development, as reflected in the various substantive recommendations adopted by it;

3. *Reaffirms its conviction* that human settlements activities can play a leading role in stimulating national economic and social development and in the enhancement of the quality of life of the poor and the disadvantaged, particularly in the developing countries;

4. *Expresses its appreciation* to those Governments and to others that have so far provided financial support for the international effort to promote human settlements development through the activities of the United Nations Centre for Human Settlements (Habitat);

5. *Appeals once again* to Member States, particularly the developed countries and others in a position to do so, to make voluntary contributions, if they have not yet done so, or, as appropriate, to increase their voluntary contributions to the United Nations Habitat and Human Settlements Foundation in support of the activities of the Centre.

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#### B

#### CO-ORDINATION OF HUMAN SETTLEMENTS PROGRAMMES WITHIN THE UNITED NATIONS SYSTEM

*The General Assembly,*

*Recalling* its resolution 35/77 C of 5 December 1980, in which it invited the Secretary-General to arrange, in consultation with the members of the Administrative Committee on Co-ordination, for the United Nations Centre for Human Settlements (Habitat) to participate in all aspects of the work of that Committee and its subsidiary machinery,

*Recalling also* its resolution 37/223 C of 20 December 1982, in which it requested the Secretary-General to accelerate his efforts in arranging for such participation and to report thereon to the General Assembly at its thirty-eighth session,

*Having considered* the report of the Secretary-General<sup>93</sup> summarizing decision 1983/18 of 27 October 1983 of the Administrative Committee on Co-ordination on the matter, as well as the oral explanation given by the representative of the Secretary-General,

*Aware* that the decision of the Administrative Committee on Co-ordination does not completely meet the requirement of General Assembly resolutions 35/77 C and 37/223 C,

*Takes note* of the report of the Secretary-General summarizing decision 1983/18 of the Administrative Committee on Co-ordination and requests him to report to the General Assembly at its thirty-ninth session on the implementation of its resolutions on the question.

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<sup>91</sup> *Official Records of the General Assembly, Thirty-eighth Session, Second Committee, 24th meeting, paras. 1-5.*

<sup>92</sup> *Ibid., Thirty-eighth Session, Supplement No. 8 (A/38/8).*

<sup>93</sup> A/38/548.

### 38/168. International Year of Shelter for the Homeless

*The General Assembly,*

Recalling its resolution 37/221 of 20 December 1982, in which it proclaimed the year 1987 International Year of Shelter for the Homeless,

Taking note of the report of the Secretary-General<sup>94</sup> concerning measures and activities to be undertaken prior to and during the International Year of Shelter for the Homeless,

Taking note also of Economic and Social Council decision 1983/169 of 25 July 1983,

Convinced that special efforts need to be made by States and the international community in order to reverse the chronic deterioration in shelter and living conditions suffered by the majority of the poor in urban and rural settlements, especially in developing countries,

Convinced also that national programmes and demonstration projects for the International Year of Shelter for the Homeless should be launched as soon as possible, since most of the action and resources for the Year will be required at the national and local levels,

Noting with appreciation the voluntary contributions and pledges that Governments have so far made for the International Year of Shelter for the Homeless,

1. Welcomes and endorses the overall plans for activities before, during and after the International Year of Shelter for the Homeless and the priorities for national and international action during 1983-1984 contained in the report of the Executive Director of the United Nations Centre for Human Settlements (Habitat)<sup>95</sup> to the Commission on Human Settlements at its sixth session;

2. Calls upon all Governments, especially those of developing countries, to give renewed political commitment and priority to the improvement of the shelter and neighbourhoods of the poor and to allocate the necessary resources to meet the objectives of the International Year of Shelter for the Homeless;

3. Endorses the proposals contained in the annex to the present resolution on national action needed before April 1984 in order to launch the International Year of Shelter for the Homeless quickly and effectively;

4. Urges all organizations and bodies of the United Nations system and other interested intergovernmental, non-governmental and national organizations to make special efforts through existing and new programmes, including those aimed at involving public-opinion leaders and large groups of the population, to help achieve the objectives of the International Year of Shelter for the Homeless;

5. Appeals to all Governments, especially those of developed countries and others in a position to do so, and to international financial institutions, intergovernmental and non-governmental organizations, to provide effective financial and other support for the programme for the International Year of Shelter for the Homeless.

*102nd plenary meeting  
19 December 1983*

#### ANNEX

##### National action needed before April 1984 for the International Year of Shelter for the Homeless

1. Most of the action and resources for the International Year of Shelter for the Homeless will be required at the national and local levels. The

programme for the Year must be launched quickly and effectively, so that most of the demonstration projects can be completed, or be at a stage where results can be evaluated, by late 1986.

2. The following national action should be undertaken by countries before the seventh session of the Commission on Human Settlements, to be held in April 1984

(a) Establish national focal points for the International Year of Shelter for the Homeless;

(b) Assess the existing situation and future needs;

(c) Begin implementation of demonstration projects for the Year.

#### A. ESTABLISHMENT OF NATIONAL FOCAL POINTS FOR THE INTERNATIONAL YEAR OF SHELTER FOR THE HOMELESS

3. All interested countries should designate, as soon as possible, a national focal point for the International Year of Shelter for the Homeless. Although there should be a specific person as a contact point, the national focal point could be an existing agency or a new unit or national committee, including representatives of relevant agencies and non-governmental organizations, specifically established to stimulate and co-ordinate national and local action.

4. Although the functions of national focal points for the International Year of Shelter for the Homeless will vary from country to country, they could include:

(a) Receiving, producing and exchanging information on the programme and plans for the Year, on relevant activities in other countries and other programme support information;

(b) Developing a national strategy and programme for the Year, including the identification and selection of appropriate demonstration projects;

(c) Encouraging close working relationships with and among non-governmental and community organizations on their projects, plans and possibilities relevant to the Year;

(d) Stimulating and co-ordinating local and national activities and projects for the Year;

(e) Organizing relevant meetings, seminars and training courses;

(f) Reporting periodically on the progress and achievements of activities and projects for the Year in the particular country.

#### B. ASSESSMENT OF THE EXISTING SITUATION AND FUTURE NEEDS

5. In launching a national programme for the International Year of Shelter for the Homeless and before the actual selection of specific demonstration projects, countries should undertake at least a preliminary assessment of the existing situation, taking into account the following questions:

(a) What are the size, distribution and characteristics of the target group in quantitative (for example, those below the poverty line in urban and rural areas) and qualitative terms (for example, access to drinking water, sanitation services, transportation, food, education, energy)?

(b) What previous and existing programmes, or parts of programmes, have successfully provided affordable improvements in the shelter and neighbourhoods of the poor, and how can they best be extended? Why have other programmes failed to do so?

(c) What national and local resources (money, land, labour, materials) are available and needed to improve the shelter and neighbourhoods of the target group? Are there obstacles to the full use of local resources?

(d) What changes are needed in existing programmes, policies and legal, institutional and financing arrangements in order to accelerate the provision of affordable shelter for the poor?

(e) What, based on the answers to the above questions, are the priorities within the national programme for demonstration projects during the Year?

#### C. BEGINNING OF THE IMPLEMENTATION OF DEMONSTRATION PROJECTS FOR THE INTERNATIONAL YEAR OF SHELTER FOR THE HOMELESS

6. Demonstration projects for the International Year of Shelter for the Homeless should test and demonstrate new approaches to basic problems in urban and rural areas, such as providing or improving shelter; providing an improved drinking water supply, sanitation and waste disposal; generating jobs in the formal or informal construction sector; improving environmental and health conditions and services; upgrading infrastructure and services for the poor, including roads, public transportation, energy, and medical, social, educational and recreational facilities; and providing low-cost building techniques and materials, especially through more widespread use of indigenous methods, skills and construction materials.

<sup>94</sup> A/38/233-E/1983/74 and Corr.1.

<sup>95</sup> HS/C.6.4.

7. In addition to projects of a physical character, the national programme and project for the International Year of Shelter for the Homeless should include the review and strengthening of policy, legislative, organizational and financial measures to assist the poor in improving their shelter and neighbourhoods. Areas of special concern might be legislation on land and tenure; building codes and regulations; financing, including credit and loans for shelter for the poor; and institutional arrangements within and between national and local authorities.

8. In order to meet the objectives for the International Year of Shelter for the Homeless, countries should take the following guidelines into account in the design, selection, implementation and monitoring of demonstration projects for the Year:

(a) Projects must explore, test and demonstrate existing or new ways and means of improving the shelter and neighbourhoods of the poor and disadvantaged, particularly those below the poverty line in urban and rural settlements;

(b) Projects must contribute to or result in a clear and visible improvement in the shelter or neighbourhoods of at least some of the poor and disadvantaged before 1987;

(c) Projects must be replicable, in order for them to reach many more of the poor and disadvantaged, leading to affordable improvements for many rather than major improvements for a few;

(d) Projects must seek a practical balance between what is desirable (in terms, for example, of basic health requirements and structural safety), attainable (technically and administratively, and using local skills, methods and materials), and affordable by the poor themselves and the nation as a whole.

#### D. PROGRESS REPORT

9. In order that all countries may be informed on the existing situation, priority concerns and activities and plans for the International Year of Shelter for the Homeless in other countries, prior to the seventh session of the Commission on Human Settlements, in April 1984, the national focal points for the Year should submit to the United Nations Centre for Human Settlements (Habitat):

(a) A brief overview (maximum two pages in length) of their national plans, priorities and activities for the Year, including information responding to the questions in paragraph 5 above;

(b) A one-page summary for each of the national demonstration projects for the Year launched to date, using a common format to be prepared by the Centre.

### 38/169. Immediate implementation of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy

*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 resolution 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

*Recalling further* its resolution 36/193 of 17 December 1981, in which it endorsed the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy<sup>96</sup> and, in particular, its resolution 37/250 of 21 December 1982 on the immediate implementation of the Nairobi Programme of Action.

*Convinced* of the importance of developing new and renewable sources of energy in order to contribute to meeting the requirements for continued economic and social development, particularly in the developing countries,

<sup>96</sup> Report of the United Nations Conference on New and Renewable Sources of Energy, Nairobi, 10-21 August 1981 (United Nations publication, Sales No. E.81.L.24), chap. I, sect. A.

through, *inter alia*, the transition from the present international economy based primarily on hydrocarbons to one based increasingly on new and renewable sources of energy.

*Reaffirming* that, while the primary responsibility for promoting the development and utilization of new and renewable sources of energy rests with individual countries, international co-operation is indispensable and should be directed to assisting and supporting the national efforts of developing countries, that developed countries should play a special role in contributing actively to this end and that other countries in a position to do so should also continue to promote efforts in this regard.

*Aware* that the present world energy situation should not reverse or halt the efforts of the international community to implement the Nairobi Programme of Action.

*Recognizing* the need to take urgent and concerted measures for the mobilization of additional and adequate resources necessary for the implementation of the Nairobi Programme of Action.

*Recalling* that specialized intergovernmental organizations and institutions in the field of new and renewable sources of energy are invited to extend their co-operation in order to strengthen the co-operative action of the international community and to ensure that further resources are made available for the development of new and renewable sources of energy, that national public and private entities in interested countries, as appropriate, have a role to play and that, in certain countries, non-governmental entities will also have a significant role to play.

*Recognizing also* that the United Nations system has initiated the necessary steps towards its full participation in and support of the implementation of the Nairobi Programme of Action and that it is imperative to increase the responsiveness of the system in this respect, through, *inter alia*, the provision of additional and adequate resources and increased co-ordination of the activities of the organs, organizations and bodies of the United Nations system.

*Emphasizing* the importance of the subregional, regional and interregional efforts for implementing the Nairobi Programme of Action.

*Having considered* the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy on its first session,<sup>97</sup> held at United Nations Headquarters from 18 to 29 April 1983,

#### I

#### NAIROBI PROGRAMME OF ACTION FOR THE DEVELOPMENT AND UTILIZATION OF NEW AND RENEWABLE SOURCES OF ENERGY

1. *Reaffirms* the significance and importance of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy as the basic framework of reference for action by the international community and renews its call for the early and effective implementation of the Programme;

2. *Emphasizes* the importance of the areas for priority action designated in section III.A of the Nairobi Programme of Action<sup>96</sup> and in section V.B of the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy,<sup>97</sup> and calls upon the Committee, at its second session, to make recommendations wherever urgent initiatives are required;

<sup>97</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 44 (A/38/44).

3. *Endorses* the recommendations contained in the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy on its first session;<sup>98</sup>

## II

### ACTION-ORIENTED PLANS AND PROGRAMMES

1. *Reaffirms* that the report of the Administrative Committee on Co-ordination<sup>99</sup> on proposals for action-oriented plans and programmes for carrying out the Nairobi Programme of Action provides a useful framework for agency and inter-agency follow-up to the Programme within the United Nations system; requests, in this connection, the relevant organs, organizations and bodies of the United Nations system to implement as appropriate the set of proposals contained in that report, taking into account the guidelines formulated by the Committee on the Development and Utilization of New and Renewable Sources of Energy at its first session;<sup>100</sup> and calls upon the Administrative Committee on Co-ordination to continue to work in this field;

2. *Notes* that the Administrative Committee on Co-ordination, in its report, presents a useful framework to the international community for identifying, developing and implementing programmes and projects in areas of priority action;

3. *Reaffirms* the importance of international co-operation for the development and utilization of new and renewable sources of energy and stresses that such co-operation should be focused on developing the indigenous capabilities of developing countries in this field, using domestic resources to the maximum extent possible;

4. *Requests* the organs, organizations and bodies of the United Nations system to participate fully in and support the implementation of the Nairobi Programme of Action in the short-term, medium-term and long-term context, in particular for the benefit of developing countries in accordance with their national plans and priorities and, in this regard, calls upon relevant organizations of the United Nations system to consider and incorporate in their activities projects arising from the proposals and recommendations made by the Administrative Committee on Co-ordination;

5. *Also requests* the relevant organs, organizations and bodies of the United Nations system to support and assist, to a large extent, the efforts of developing countries for technical and economic co-operation among themselves in the field of new and renewable sources of energy;

## III

### MOBILIZATION OF FINANCIAL RESOURCES

1. *Emphasizes* that the early implementation of the Nairobi Programme of Action requires the mobilization of additional and adequate resources and that each country will continue to bear the main responsibility for the development of its new and renewable sources of energy, which will require vigorous measures for a fuller mobilization of its domestic financial and other resources;

2. *Reaffirms* the importance of the mobilization of financial resources for the early implementation of the Nairobi Programme of Action and, to this end, calls for the urgent implementation of the measures for the mobilization of financial resources enumerated in paragraphs 76 to 95 of the Programme of Action and in paragraphs 75 to

83 of the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy;<sup>97</sup>

3. *Calls upon* all countries, particularly the developed countries and other countries in a position to do so, to provide additional and adequate financial resources to the relevant organs, organizations and bodies of the United Nations system;

4. *Calls* for the preparation and convening of consultative meetings at the national, subregional, regional, inter-regional and global levels, on a non-discriminatory basis and in accordance with paragraph 81 of the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy;<sup>97</sup>

5. *Requests* the Secretary-General to submit a report to the Committee on the Development and Utilization of New and Renewable Sources of Energy, at its second session, on the progress achieved since its first session in relation to consultative meetings, taking into account, in particular, their contribution to the finalization of and commitment to the programmes and projects aimed at the implementation of the Nairobi Programme of Action and to the mobilization of additional resources;

6. *Reaffirms*, in this context, that specific and additional resources should be directed through such channels as the United Nations Development Programme, the United Nations Revolving Fund for Natural Resources Exploration, the long-term financial arrangements for the United Nations Financing System for Science and Technology for Development, the United Nations Development Programme Energy Account and others directly or indirectly involved, in accordance with national plans and priorities;

7. *Reiterates* the importance of an appropriate assessment of the financial resources required for the development of new and renewable sources of energy, particularly in the developing countries, and requests the United Nations Development Programme and the World Bank to continue to study this matter;

8. *Requests* the Secretary-General to present to the Committee on the Development and Utilization of New and Renewable Sources of Energy, at its second session, substantive proposals on further ways and means of mobilizing financial resources for new and renewable sources of energy, as requested in General Assembly resolution 37/250;

9. *Urges*, in this connection, all interested parties to accelerate consideration of other possible avenues that would increase financing in this field, including, *inter alia*, the mechanisms being examined by the World Bank, such as an energy affiliate, as stated in paragraph 94 of the Nairobi Programme of Action;<sup>96</sup>

10. *Also requests* the Secretary-General to elicit the views of intergovernmental and non-governmental organizations as to how they can best co-operate in generating additional financial resources for the implementation of the Nairobi Programme of Action;

## IV

### INTER-AGENCY CO-ORDINATION AND SECRETARIAT SUPPORT ARRANGEMENTS

1. *Reaffirms* the importance of the role of the Director-General for Development and International Economic Co-operation in co-ordinating the activities and contributions of the organs, organizations and bodies of the United

<sup>98</sup> *Ibid.*, sect. V.

<sup>99</sup> A/AC.215/5.

<sup>100</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 44 (A/38/44)*, para. 70.



Nations system in connection with new and renewable sources of energy, including those related to consultative meetings at the national, regional and global levels;

2. *Welcomes* the secretariat arrangements already made and stresses the need for the full implementation of the decisions made in this regard by the General Assembly at its thirty-seventh session;<sup>101</sup>

3. *Welcomes also*, in this regard, the establishment, in the unit on new and renewable sources of energy, of a focal point for information on multilateral, bilateral and other programmes in the field of new and renewable sources of energy and invites Member States and international organizations to facilitate its work by providing appropriate information.

*102nd plenary meeting  
19 December 1983*

### **38/170. New international human order: moral aspects of development**

*The General Assembly,*

*Recalling* its resolution 37/225 of 20 December 1982 entitled "New international human order: moral aspects of development",

*Taking note* of the report of the Economic and Social Council on its consideration of this question<sup>102</sup> and Council decision 1983/171 of 25 July 1983.

*Taking note also* of the comments of Governments on the question,<sup>103</sup> as well as statements made during the second regular session of 1983 of the Economic and Social Council<sup>104</sup> and at the current session of the General Assembly,<sup>105</sup>

1. *Invites* Member States that have not yet done so to submit their comments on this question and Member States that have already done so to submit additional comments, particularly on the draft declaration transmitted to the General Assembly by Economic and Social Council decision 1983/171, preferably before 31 July 1985;

2. *Requests* the Secretary-General to submit a report on this question to the General Assembly at its fortieth session;

3. *Decides* to include in the provisional agenda of its fortieth session the sub-item entitled "New international human order: moral aspects of development".

*102nd plenary meeting  
19 December 1983*

### **38/171. Comprehensive policy review of operational activities for 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.

*Recalling also* its resolution 35/56 of 5 December 1980, the annex to which contains the International Develop-

ment Strategy for the Third United Nations Development Decade.

*Recalling further* its resolutions 2688 (XXV) of 11 December 1970 on the capacity of the United Nations development system and 3405 (XXX) of 28 November 1975 on new dimensions in technical co-operation,

*Reiterating* its resolutions 32/197 of 20 December 1977, 33/201 of 29 January 1979 and 35/81 of 5 December 1980 on a comprehensive policy review of operational activities for development, 36/199 of 17 December 1981 and 37/226 of 20 December 1982 on operational activities for development of the United Nations system,

*Reaffirming* the exclusive responsibility of the Government of the recipient country in formulating its national development plan, priorities and objectives, as set out in the consensus contained in the annex to General Assembly resolution 2688 (XXV), and emphasizing that the integration of the operational activities of the United Nations system with national programmes would enhance the impact and relevance of those activities,

*Emphasizing* the importance that developing countries, through their actions, including increased financial contributions, have attached to the operational activities of the United Nations system, in recognition of the role of those activities in their overall economic development,

*Expressing its deep concern* about the increasing elements of bilateralism in multilateral economic co-operation and the increased channelling of tied resources through multilateral programmes,

*Concerned* at the increasingly high cost of experts and consultants and the financial effect on the programmes and projects being implemented, and convinced of the need, as far as possible, to use the services of national experts and consultants and to implement programmes and projects in a cost-effective manner.

*Aware* that a substantial part of world resources, material as well as human, continues to be diverted to armaments, with detrimental effect on international security and on efforts to achieve the new international economic order, including the operational activities for development of the United Nations system,

*Reaffirming* that one primary objective of operational activities for development of the United Nations system is to promote the economic self-reliance of developing countries,

*Having examined* the report of the Director-General for Development and International Economic Co-operation for 1983 on the comprehensive policy review of operational activities for development of the United Nations system,<sup>106</sup>

1. *Takes note with appreciation* of the report of the Director-General for Development and International Economic Co-operation on the comprehensive policy review of operational activities for development of the United Nations system;

2. *Reaffirms* the important contribution that operational activities of the United Nations system make to the development of developing countries and urges the relevant organs, organizations and bodies of the United Nations system to continue to attach priority to operational activities in their plans and programmes;

3. *Notes* that, although the outcome of the 1983 United Nations Pledging Conference for Development

<sup>101</sup> See resolution 37/250.

<sup>102</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 3 (A/38/3)*, chap. II, paras. 61-64.

<sup>103</sup> See E/1983/68 and Add.1-3; E/1983/89.

<sup>104</sup> See *Official Records of the Economic and Social Council, 1983, Plenary Meetings, 17th-30th meetings*.

<sup>105</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Second Committee, 15th-24th and 38th-45th meetings*.

<sup>106</sup> A/38/258-E/1983/82 and Add.1 and Add.1/Corr.1, annex.

Activities<sup>107</sup> reflected a positive trend, the overall level of resources remains unsatisfactory, falling short, in many cases, of the various types of targets set by the relevant intergovernmental bodies, thus hampering the ability of the system to respond to the growing needs of developing countries;

4. *Strongly reiterates* the need for a substantial and real increase in the flow of resources for operational activities on an increasingly predictable, continuous and assured basis, so as to enable the organizations of the system to maintain and, where possible, increase the level of their operational programmes and, in that context, strongly urges all countries, particularly developed countries, whose overall performance is not commensurate with their capacities, to increase rapidly and substantially their voluntary contributions for operational activities for development, taking into account the targets that have been set by relevant intergovernmental bodies;

5. *Reaffirms* that the operational activities of the United Nations system should be in accordance with the national plans, priorities and objectives of the recipient countries in order to enhance their impact on and relevance to the national development process of those countries;

6. *Invites* the World Bank to continue to carry out its country activities in accordance with the national plans and priorities of recipient countries, in order to promote the economic self-reliance of developing countries;

7. *Emphasizes* the need to maintain the multilateral character of the operational activities of the United Nations system and urges all Governments to enhance their commitment in this regard;

8. *Calls upon* all Governments, in the interest of preserving the multilateral principles of the system, to refrain from the practice of tying aid for operational activities of the United Nations system to the procurement of goods and services from the donor countries, restricting it to those funds that have a mandate to accept it on an experimental basis;

9. *Invites* the organs, organizations and bodies of the United Nations system dealing with the flows of concessional resources to developing countries to pay greater attention, in their reviews of these issues, to the funding needs of the United Nations funds and programmes in support of the development plans formulated by the recipient Governments;

10. *Urges* the international community to provide a substantial increase in financial resources to United Nations funds and programmes engaged in operational activities in order to enhance their contributions to the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries,<sup>108</sup> bearing in mind the need of those countries for official development assistance from multilateral sources;

11. *Urges* all Governments concerned to conclude negotiations regarding the seventh replenishment of the International Development Association, with a view to ensuring an appropriate increase in resources, and calls for those negotiations to be completed as soon as possible so that the seventh replenishment may become effective in July 1984;

12. *Urges* all Governments concerned to strengthen the International Fund for Agricultural Development, par-

ticularly by releasing their contributions according to agreed schedules and responding positively during the negotiations regarding the second replenishment;

13. *Welcomes* the progress made towards the attainment of the 1983-1984 target for voluntary contributions to the World Food Programme and urges Governments to make every effort to ensure the full attainment of that target, as well as the proposed 1985-1986 target;

14. *Takes note* of the recommendations made in section III of the report of the Director-General for Development and International Economic Co-operation,<sup>109</sup> designed to enhance the responsiveness of operational activities to the needs and requirements of all developing countries in accordance with their objectives and priorities, as formulated in their national development plans and programmes, and their efforts to promote greater economic and technical co-operation among themselves;

15. *Invites* all organs, organizations and bodies of the United Nations system engaged in operational activities for development, with a view to achieving, *inter alia*, higher cost effectiveness, to make greater use of the capacities of developing countries by:

(a) Engaging national experts and personnel;

(b) Utilizing local or regional sources for the procurement of material, equipment and services;

16. *Decides* that the guidelines on procurement to be issued pursuant to paragraph 7 of decision 81/28 of 30 June 1981<sup>110</sup> and section II, paragraph 2, of decision 82/34 of 18 June 1982<sup>111</sup> of the Governing Council of the United Nations Development Programme should govern the procurement activities of organs and bodies under the authority of the General Assembly in their execution of projects financed by the Programme;

17. *Welcomes* decision 82/8 of 18 June 1982 of the Governing Council of the United Nations Development Programme,<sup>111</sup> designed to promote government execution of projects funded by the Programme, the support cost savings that could result therefrom becoming available for programmes and plans, on the basis of the illustrative indicative planning figure;

18. *Reiterates* the set of principles which, in the programming of the resources at the disposal of the different organizations of the United Nations system, should be uniformly applied; those principles, embodied in the consensus of 1970<sup>112</sup> and decision 80/30 of 26 June 1980<sup>113</sup> of the Governing Council of the United Nations Development Programme include, *inter alia*, the following:

(a) Equity, particularly in the distribution of resources among developing countries;

(b) Assistance to be provided only in response to the express needs of the recipient countries;

(c) Assistance to be integrated with the overall development objectives and priorities of the country concerned;

(d) Programming to be seen as an integrated process, of which the different phases, such as programming, project formulation, assessment, approval and evaluation, constitute integral parts;

19. *Emphasizes* the important role of the United Nations system in assisting developing countries, upon request, in developing their evaluation capacity and requests the Secretary-General, in consultation with the organs, organizations and bodies of the system, to elabo-

<sup>107</sup> See A/CONF.122/SR.1-3 and Corrigendum.

<sup>108</sup> Report of the United Nations Conference on the Least Developed Countries, Paris, 1-14 September 1981 (United Nations publication, Sales No. E.82.1.8), part one, sect. A.

<sup>109</sup> A/38/258-E/1983/82, annex.

<sup>110</sup> See Official Records of the Economic and Social Council, 1981, Supplement No. 11 (E/1981/61/Rev.1), annex I.

<sup>111</sup> *Ibid.*, 1982, Supplement No. 6 (E/1982/16/Rev.1), annex I.

<sup>112</sup> Resolution 2688 (XXV), annex.

<sup>113</sup> Official Records of the Economic and Social Council, 1980, Supplement No. 12 (E/1980/42/Rev.1), chap. XI.

rate, in the light of the conclusions and recommendations of the Joint Inspection Unit contained in its report,<sup>114</sup> proposals to promote the evaluation capacity of recipient Governments;

20. *Recognizes* that, concerning operational activities for development of the United Nations system, evaluation is an important part of the programming process in order to achieve a rational and optimal utilization of the overall resources available;

21. *Reaffirms* the general guidelines embodied in the new dimensions in technical co-operation adopted by the Governing Council in 1975<sup>115</sup> and urges their full application;

22. *Recommends* improved coherence of action and co-ordination of the operational systems at the country level, under the overall responsibility of the resident co-ordinator and in consultation with the Governments concerned, in order to cut down expenses on administrative and support costs, minimize waste through avoidance of duplication of work and facilitate the task of the host country in co-ordinating external assistance, and considers that further efforts should be undertaken in this regard;

23. *Invites* the Administrator of the United Nations Development Programme and the President of the World Bank, as well as the heads of regional development banks, to examine further possibilities of co-operation between the Programme and those institutions regarding the complementarity of their respective technical co-operation programmes, in order to enhance the implementation of the present resolution and, in so doing, ensure greater utilization of the facilities available in the various organizations of the United Nations system regarding projects financed by those funding agencies, and requests the Administrator to report thereon to the Governing Council of the United Nations Development Programme;

24. *Urges* the relevant organs, organizations and bodies of the United Nations system to increase their support for the process of technical co-operation among developing countries by orienting their programmes and projects, as appropriate, towards strengthening such co-operation;

25. *Urges* the Secretary-General and the executive heads of organs, organizations and bodies of the United Nations system, bearing in mind the need to maintain an appropriate level of support functions, to seek to minimize administrative and other support costs without affecting the field programmes and the network of United Nations Development Programme offices in developing countries, with a view to increasing the proportion of resources available to improve programme delivery to developing countries;

26. *Requests* the organs, organizations and bodies of the United Nations system receiving resources of an extrabudgetary nature to include information on those resources and their utilization in their budgets and reports and to make that information available to the Governments concerned and to the resident co-ordinator in the recipient country;

27. *Recommends* that, in accordance with its resolution 32/197, due consideration should be given to the technical expertise of the Department of Technical Co-operation for Development for its designation as an executing agency for the implementation of projects within its mandate, as well as its role in the execution of technical co-operation activities of the United Nations system, in order to reaffirm the role of the Department within the existing technical and administrative structures and to avoid duplication and accomplish economies of scale;

28. *Urges* all organs, organizations and bodies of the United Nations system, in the light of the recommendations contained in section V of the report of the Director-General for Development and International Economic Co-operation,<sup>109</sup> to take the necessary steps to ensure the harmonization of administrative, financial, personnel, planning and procurement procedures, and requests the Director-General for Development and International Economic Co-operation to report annually on specific action taken;

29. *Reiterates* the importance of the co-ordination of multilateral development assistance at the field level, and requests the Director-General for Development and International Economic Co-operation, while preparing his next report on operational activities, to pay particular attention to the need for improved coherence of action and effective integration at the country level, in accordance with section V of the annex to resolution 32/197 and paragraph 11 of resolution 35/81, and to the role of resident co-ordinators in the co-ordination of operational activities of the United Nations system;

30. *Requests* the Joint Inspection Unit to study in depth the structure of the field representation of the organs and organizations of the United Nations system, particularly with regard to the tasks allotted to the resident co-ordinators;

31. *Requests* the Director-General for Development and International Economic Co-operation to include in his report to the General Assembly at its thirty-ninth session:

(a) An examination of the extent and implications of the continuation of the practice of contributions being provided to organizations with conditions attached to their use, taking into account the information to be provided by the heads of the relevant organs, organizations and bodies;

(b) An in-depth analysis of the subject mentioned in paragraph 22 above concerning improved coherence of action and co-ordination of the operational systems at the country level;

(c) A comparative analysis of the relationship between programme delivery and administrative costs pertaining to operational activities for development executed by the organs, organizations and bodies of the United Nations system, as well as an assessment of agency support costs;

32. *Requests* the Director-General for Development and International Economic Co-operation to include in his report for the 1986 comprehensive policy review:

(a) A study, with supporting data, on the progress achieved with respect to the issues identified in paragraph 15 above;

(b) A system-wide review of the activities identified in paragraph 24 above relating to technical co-operation among developing countries as carried out by different organizations, with particular reference to the approaches and methods devised and followed, the kind of activities undertaken by these organizations and the relevant institutional arrangements;

33. *Requests* the Secretary-General, for the purpose of the 1986 comprehensive policy review, as part of the continuous review by the General Assembly, to entrust the Director-General for Development and International Economic Co-operation with the preparation of a report on policy issues pertaining to operational activities for development undertaken by the United Nations system, taking into account the views and comments of delegations at the second regular session of 1983 of the Economic and Social Council and at the thirty-eighth session of the General Assembly, for submission to the Assembly at its forty-first

<sup>114</sup> See A/38/333, sect. IX.

<sup>115</sup> See resolution 3405 (XXX), annex.

session through the Council at its second regular session of 1986;

34. *Strongly reiterates* its desire for a coherent and co-ordinated United Nations system in the field of operational activities for development and, in that context, requests the Director-General for Development and International Economic Co-operation to continue to provide effective leadership in the co-ordination of the various components of the United Nations system in that field and in exercising overall co-ordination within the system, as set forth in resolution 32/197, and requests all organs, organizations and bodies of the United Nations system to co-operate fully with the Director-General.

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### 38/172. Situation of the financial resources of the United Nations Development Programme

*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 resolution 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

*Stressing* the urgent need to strengthen multilateral co-operation for development as a desirable and effective means for promoting mutually beneficial co-operation between developed and developing countries,

*Emphasizing* the importance of multilateral technical co-operation in the economic and social development of developing countries and the urgent need for a substantial and real increase in the level of financial resources on an increasingly predictable, continuous and assured basis,

*Reiterating* the unique and central role of the United Nations Development Programme in the field of technical co-operation for development,

*Reaffirming* the exclusive responsibility of the Government of the recipient country in formulating its national development plan, priorities and objectives, as set out in the consensus contained in the annex to General Assembly resolution 2688 (XXV) of 11 December 1970,

*Stressing* that the indicative planning figures established for the third programming cycle, 1982-1986, of the United Nations Development Programme should be maintained, to the extent possible, and financed through efforts to increase contributions by the international community,

*Having considered* the difficult financial situation of the United Nations Development Programme, even in the light of the encouraging outcome of the 1983 United Nations Pledging Conference for Development Activities,<sup>116</sup> and its serious impact on the level of technical assistance provided to developing countries through the Programme,

*Aware* that, together with efforts to obtain additional voluntary contributions, steps are being taken to increase

further the quality, efficiency and effectiveness of the United Nations Development Programme,

*Having considered* the report of the Governing Council of the United Nations Development Programme for the year 1983,<sup>117</sup>

1. *Takes note* of the report of the Governing Council of the United Nations Development Programme for the year 1983 and the decisions contained therein;<sup>118</sup>

2. *Reaffirms* Economic and Social Council resolution 1982/53 of 29 July 1982, in which the Council, *inter alia*, took note of decision 82/5 of 18 June 1982 of the Governing Council of the United Nations Development Programme,<sup>119</sup> by which the Governing Council reaffirmed its decisions 80/30 of 26 June 1980<sup>120</sup> and 81/16 of 27 June 1981,<sup>121</sup> including those provisions relating to the indicative planning figures, the assumed overall average annual rate of growth of voluntary contributions and the level of resources envisaged for the third programming cycle, 1982-1986, for the purposes of forward planning;

3. *Welcomes* the adoption by consensus of decision 83/5 of 24 June 1983 of the Governing Council of the United Nations Development Programme;<sup>122</sup>

4. *Notes* that, although the outcome of the 1983 United Nations Pledging Conference for Development Activities has shown that there is a trend towards ending the erosion of the resources of the United Nations Development Programme, greater efforts remain necessary to strengthen that trend in order to lead to a process of growth of resources by increasing significantly the level of contributions on a more equitable basis;

5. *Expresses its appreciation* to those Governments, of both developed and developing countries, which, at the 1983 Pledging Conference, announced their voluntary contributions or their intention to contribute to the United Nations Development Programme for 1984 in amounts approaching, equalling or exceeding an average annual increase of 14 per cent in their contributions, and to those Governments that have consistently maintained their contributions at a high level;

6. *Urges* all other Governments, especially those whose overall performance is not commensurate with their capacities, to renew their efforts, consistent with paragraph 1 (c) of section I of decision 83/5 of the Governing Council, to provide the United Nations Development Programme with the resources necessary to establish a sound financial basis for the implementation of its planned activities for the third programming cycle, 1982-1986, which, for the purpose of forward planning, would assume an overall average annual rate of growth of resources of at least 14 per cent;

7. *Expresses its appreciation* to the Administrator of the United Nations Development Programme for his tireless efforts to obtain the necessary level of resources envisaged for the third programming cycle, 1982-1986, in order to secure the financial viability of the Programme and to improve further its quality, efficiency and effectiveness, and encourages the Administrator to continue those efforts, taking into account, *inter alia*, the need to restrain administrative expenditures in order to maximize programme delivery, in accordance with paragraph 4 of Governing Council decision 81/16;

8. *Reaffirms* the mandate of the Governing Council of the United Nations Development Programme, reiterates its confidence in the authority of the Governing Council to

<sup>116</sup> See A/CONF.122/SR.1-3 and corrigendum.

<sup>117</sup> *Official Records of the Economic and Social Council, 1983, Supplement No. 9 (E/1983/20).*

<sup>118</sup> *Ibid.*, annex 1.

<sup>119</sup> *Ibid.*, 1982, Supplement No. 6 (E/1982/16/Rev.1), annex 1.

<sup>120</sup> *Ibid.*, 1980, Supplement No. 12 (E/1980/42/Rev.1), chap. XI.

<sup>121</sup> *Ibid.*, 1981, Supplement No. 11 (E/1981/61/Rev.1), annex 1.

<sup>122</sup> *Ibid.*, 1983, Supplement No. 9 (E/1983/20), annex 1.

consider and approve the programmes formulated by recipient Governments and requests the Governing Council, in accordance with the principles and objectives reflected in the consensus set forth in the annex to General Assembly resolution 2688 (XXV), to ensure full implementation, to the extent possible, of the planned activities of the Programme for the third programming cycle, 1982-1986, and beyond;

9. *Reiterates* the full responsibility of recipient Governments in the preparation of country programmes, as well as the authority of the Administrator of the United Nations Development Programme to assist, upon request, those Governments in that process in order to submit the programmes, with his recommendations, to the Governing Council for its consideration and approval;

10. *Requests* the Administrator of the United Nations Development Programme to exercise the utmost vigilance over the financial management of the Programme so that most of the funds are channelled towards programme delivery, with the maximum reduction in expenditure of support and administrative costs, and requests the Administrator to report to the Governing Council in that regard.

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### 38/173. United Nations Volunteers programme

*The General Assembly,*

*Recalling* its resolution 2659 (XXV) of 7 December 1970 and its subsequent resolutions on the United Nations Volunteers programme, including resolution 37/229 of 20 December 1982,

*Taking note* of decision 83/18 of 23 June 1983 of the Governing Council of the United Nations Development Programme,<sup>122</sup>

*Bearing in mind* the recommendations of the Sana'a Declaration, adopted at the High-level Symposium on International Volunteer Service and Development,<sup>123</sup>

1. *Notes with satisfaction* the continued achievements of the United Nations Volunteers programme during the past year;

2. *Reaffirms* that the United Nations Volunteers programme continues to be an effective instrument of multi-lateral technical co-operation programmes responding to the needs of the developing countries, particularly to those of the least developed among them;

3. *Expresses the hope* that full consideration will be given to the use of United Nations Volunteers, as requested in decision 83/7 of 24 June 1983 of the Governing Council of the United Nations Development Programme<sup>122</sup> on recruitment and reduction of the cost of project professional personnel;

4. *Considers* that the use of United Nations Volunteers offers particular advantages for community development activities in rural areas;

5. *Notes* the expanding activities of the United Nations Volunteers programme in the field of youth and domestic development services;

6. *Reaffirms* that the United Nations Volunteers programme should continue its involvement in the preparations for the International Youth Year and its activities in the implementation of programmes relating to youth;

<sup>123</sup> DP/1982/34, annex.

<sup>124</sup> See *Proceedings of the United Nations Conference on Trade and Development, Sixth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

<sup>125</sup> See *Official Records of the Economic and Social Council, 1983, Supplement No. 9 (E/1983/20)*, annex I.

7. *Appeals again* to Governments, organizations and individuals to contribute or to increase their contributions to the Special Voluntary Fund for the United Nations Volunteers programme to enable the programme to meet the external cost of volunteers recruited from developing countries.

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### 38/174. United Nations Special Fund for Land-locked Developing Countries

*The General Assembly,*

*Recalling* its resolution 31/177 of 21 December 1976, by which it approved the statute of the United Nations Special Fund for Land-locked Developing Countries, and its subsequent resolutions on the Fund, including resolution 37/230 of 20 December 1982,

*Taking note* of resolution 137 (VI) of 2 July 1983 of the United Nations Conference on Trade and Development<sup>124</sup> and decision 83/28 of 24 June 1983 of the Governing Council of the United Nations Development Programme,<sup>125</sup>

*Recalling* the relevant provisions of the International Development Strategy for the Third United Nations Development Decade,<sup>126</sup>

*Recalling further* the relevant paragraphs of the Substantial New Programme of Action for the 1980s for the Least Developed Countries,<sup>127</sup>

*Convinced* that access to world markets at the least possible cost is an integral part of the meaningful economic development of land-locked developing countries,

*Expressing deep concern* at the consistently very low level of contributions that have been pledged to the Fund since its establishment,

*Noting* that the demands for assistance from the Fund are additional to, and generally different from, the types of activities financed from other sources in the United Nations system,

1. *Expresses concern* at the lack of implementation of its resolutions on the United Nations Special Fund for Land-locked Developing Countries, as noted by the Secretary-General in his report;<sup>128</sup>

2. *Urges* the international community to give full consideration to the special constraints facing the land-locked developing countries in their economic and social development;

3. *Renews its appeal* for adequate resources to be provided to the Fund;

4. *Requests* the Administrator of the United Nations Development Programme, in consultation with the Secretary-General of the United Nations Conference on Trade and Development and the executive heads of the organs, organizations and bodies of the United Nations system, to continue to pursue action in favour of the land-locked developing countries within the framework of the interim arrangements, bearing in mind that each country concerned should receive appropriate technical and financial assistance.

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<sup>126</sup> Resolution 35/56, annex, paras. 152-155.

<sup>127</sup> See *Report of the United Nations Conference on the Least Developed Countries, Paris, 1-14 September 1981* (United Nations publication, Sales No. E.82.I.8), part one, sect. A.

<sup>128</sup> A/38/293.

**38/175. United Nations Children's Fund**

*The General Assembly,*

*Taking note* of Economic and Social Council decision 1983/187 of 29 July 1983,

*Having considered* the report of the Executive Board of the United Nations Children's Fund on its session held at United Nations Headquarters from 9 to 21 May 1983,<sup>129</sup>

*Reaffirming* the principles and guidelines for programme activities established by the Executive Board of the United Nations Children's Fund in its efforts to reach the most disadvantaged in order to bring about a major improvement in child survival and child development, taking special advantage of developments in primary health care techniques and communications,

*Acutely aware* that the present global economic situation adversely affects vulnerable groups such as children and therefore makes the need for those efforts all the more critical,

1. *Commends* the policies and activities of the United Nations Children's Fund;

2. *Endorses* the conclusions and recommendations contained in the report of the 1983 session of the Executive Board of the United Nations Children's Fund;<sup>129</sup>

3. *Reaffirms* the role of the United Nations Children's Fund as the lead agency in the United Nations system responsible for co-ordinating the follow-up activities of the International Year of the Child related to the goals and objectives concerning children set forth in the International Development Strategy for the Third United Nations Development Decade;<sup>130</sup>

4. *Reaffirms* the paramount importance of the basic-services approach for children in the delivery of the programmes of the United Nations Children's Fund, while also urging the Executive Director to continue and intensify his efforts on the basis of recent developments in the social and biological sciences which present a new opportunity to bring about a virtual revolution in child survival and child development, at a low cost and in a relatively short time, in accordance with the relevant decisions of the Executive Board of the Fund;

5. *Commends* the Executive Director of the United Nations Children's Fund for his efforts to enlarge the income of the Fund so that the Fund may respond effectively to the needs of the developing countries, in continued pursuance of its mandate;

6. *Expresses its appreciation* to Governments that have responded to the needs of the United Nations Children's Fund and expresses the hope that more States will come forward with positive responses;

7. *Appeals* to all Governments to increase their contributions so that, in the light of the current economic situation, the Fund may be able to strengthen its co-operation with developing countries and respond to the urgent needs of children in those countries.

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<sup>129</sup> Official Records of the Economic and Social Council, 1983, Supplement No. 10 (E/1983/21).

<sup>130</sup> Resolution 35/56, annex, paras. 48 and 50.

**38/176. Target for World Food Programme pledges for the period 1985-1986**

*The General Assembly,*

*Recalling* the provisions of its resolution 2095 (XX) of 20 December 1965 to the effect that the World Food Programme is to be reviewed before each pledging conference,

*Recalling* the provisions of paragraph 4 of its resolution 36/202 of 17 December 1981 specifying that, subject to the review mentioned above, the next pledging conference should be convened, at the latest, early in 1984, at which time Governments and appropriate donor organizations should be invited to pledge contributions for 1985 and 1986 with a view to reaching such a target as may be then recommended by the General Assembly and the Conference of the Food and Agriculture Organization of the United Nations,

*Noting* that the review of the Programme was undertaken by the Committee on Food Aid Policies and Programmes of the World Food Programme at its fifteenth session and by the Economic and Social Council at its second regular session of 1983,

*Having considered* Economic and Social Council resolution 1983/73 of 29 July 1983, as well as the recommendations of the Committee on Food Aid Policies and Programmes,<sup>131</sup>

*Recognizing* the value of multilateral food aid as furnished by the World Food Programme since its inception and the necessity for continuing its action both as a form of capital investment and for meeting emergency food needs,

1. *Establishes* for the two years 1985 and 1986 a target for voluntary contributions to the World Food Programme of \$1.35 billion, of which not less than one third should be in cash and/or services in aggregate, and expresses the hope that such resources will be augmented by substantial additional contributions from other sources in recognition of the prospective volume of sound project requests and the capacity of the Programme to operate at a higher level;

2. *Urges* States Members of the United Nations and members and associate members of the Food and Agriculture Organization of the United Nations and appropriate donor organizations to make every effort to ensure the full attainment of the target;

3. *Requests* the Secretary-General, in co-operation with the Director-General of the Food and Agriculture Organization of the United Nations, to convene a pledging conference for this purpose at United Nations Headquarters early in 1984;

4. *Decides* that, subject to the review provided for in General Assembly resolution 2095 (XX), the subsequent pledging conference, at which Governments and appropriate donor organizations should be invited to pledge contributions for the biennium 1987-1988 with a view to reaching such a target as may be then recommended by the Assembly and the Conference of the Food and Agriculture Organization of the United Nations, should be convened, at the latest, early in 1986.

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<sup>131</sup> E/1983/92.

**38/177. United Nations Institute for Training and Research**

*The General Assembly,*

Recalling its resolution 37/142 of 17 December 1982 on the United Nations Institute for Training and Research,

Having considered the report of the Executive Director of the United Nations Institute for Training and Research<sup>132</sup> covering the period from 1 July 1982 to 30 June 1983, and his introductory statement of 7 November 1983,<sup>133</sup>

Recalling the important role assigned to the United Nations Institute for Training and Research in enhancing the effectiveness of the United Nations in achieving its major objectives, particularly in the maintenance of peace and security and the promotion of economic and social development,

Noting with satisfaction the emphasis being placed by the United Nations Institute for Training and Research on the revitalization of its programme, the dissemination of the results of its research, the continuing need for improvement of its management and on the mobilization of adequate resources to enable it to perform its functions satisfactorily,

Sharing the concern of the Executive Director that only a small number of States are contributing to the General Fund of the United Nations Institute for Training and Research, as well as his concern over the inadequacy of the resources available to the Institute for its work.

1. Takes note with appreciation of the report of the Executive Director of the United Nations Institute for Training and Research and the measures he has already taken, with the approval of the Board of Trustees of the Institute, with a view to revitalizing the Institute and enhancing its image;

2. Welcomes the continuing emphasis of the United Nations Institute for Training and Research on economic and social training and research and the inclusion of specific projects on the problems that exist in the areas identified by the General Assembly at its sixth and seventh special sessions, in the relevant decisions adopted at its twenty-ninth and subsequent sessions, and in the International Development Strategy for the Third United Nations Development Decade,<sup>134</sup> taking into consideration the statements on the programme of work of the Institute made at the current session;

3. Encourages the Executive Director, bearing in mind the conclusions reached by the Board of Trustees of the United Nations Institute for Training and Research at its special session held from 11 to 14 April 1983,<sup>135</sup> to continue to evolve clear long-term priorities in the training and research programme of the Institute which would emphasize its role in the promotion and strengthening of the development process and would make the need for that role more obvious;

4. Notes with satisfaction the efforts of the Executive Director to strengthen co-operation between the United Nations Institute for Training and Research and other institutions active in the Institute's field of competence;

5. Urges once again all States that have not yet contributed to the United Nations Institute for Training and Research to do so, and calls upon all donor countries, especially those that are not contributing at a level com-

mensurate with their capacity, to increase their voluntary contributions in order to meet the urgent financial needs of the Institute;

6. Again requests all States to continue to announce their contributions to the United Nations Institute for Training and Research early and, if possible, not later than the annual United Nations Pledging Conference for Development Activities, and to speed up the payment of their voluntary contributions to the Institute;

7. Emphasizes the necessity for the Institute to intensify its efforts further to improve its management and to develop its programme of activities with a view to balancing its expenses with revenue, on the basis of realistic estimates, and, in this context, notes with satisfaction the steps being taken by the Executive Director to adjust administrative costs and to mobilize resources to ensure avoidance of future deficits in the Institute's budget;

8. Decides to support the recommendations of the Secretary-General contained in his interim report on the financing of the United Nations Institute for Training and Research<sup>136</sup> and agrees, on an exceptional basis, that an advance of \$886,000 should be given to the Institute to cover the deficit in its budget for 1983; this advance will be non-recurrent and reimbursable, in accordance with the terms set out in the Secretary-General's report,<sup>137</sup> and the repayment will begin after a grace period not exceeding two years;

9. Decides, in the light of paragraphs 4 and 5 of the report of the Secretary-General, to consider at its thirtieth session the question of long-term financing arrangements for the United Nations Institute for Training and Research.

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**38/178. United Nations University**

*The General Assembly,*

Recalling its resolutions 2951 (XXVII) of 11 December 1972, 3081 (XXVIII) of 6 December 1973, 3313 (XXIX) of 14 December 1974, 3439 (XXX) of 9 December 1975, 31/117 and 31/118 of 16 December 1976, 32/54 of 8 December 1977, 33/108 of 18 December 1978, 34/112 of 14 December 1979, 35/54 of 5 December 1980, 36/45 of 19 November 1981 and 37/143 of 17 December 1982,

Having considered the report of the Council of the United Nations University on the work of the University,<sup>138</sup>

Noting with appreciation the progress being made towards the construction of a permanent headquarters building in Tokyo, with active steps being taken by the Government of Japan,

Also noting with appreciation the dedicated service rendered to the University by the members of the Council whose terms ended in May 1983,

Mindful of the formulation and adoption of the medium-term perspective, 1982-1987.

Noting decision 5.2.2 adopted on 13 October 1983 by the Executive Board of the United Nations Educational, Scientific and Cultural Organization at its one hundred and seventeenth session,

<sup>132</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 14 (A/38/14).

<sup>133</sup> *Ibid.*, Thirty-eighth Session, Second Committee, 31st meeting, paras. 11-17.

<sup>134</sup> Resolution 35/56, annex.

<sup>135</sup> See Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 14 (A/38/14), paras. 9-11.

<sup>136</sup> A/38/220.

<sup>137</sup> *Ibid.*, para. 7.

<sup>138</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 31 (A/38/31 and Corr.1 and 2).

1. *Notes with satisfaction* the further constructive development of the activities of the United Nations University in research, training and the dissemination of knowledge under the medium-term perspective, using multidisciplinary and integrative approaches designed, in accordance with the Charter of the University, to promote greater understanding of urgent and pressing global problems and provide ideas for solving them;

2. *Welcomes* the initiation of a new programme planning process at the University Centre, designed to facilitate the participation of the United Nations University's networks of collaborating scholars, and, as part of this process, the creation of a planning and evaluation services unit;

3. *Also welcomes* the adoption by the Council of the United Nations University of the initial statute of the University, in accordance with its Charter, on the basis of the experience gained by the University since its establishment;

4. *Notes with satisfaction* that progress has been made towards the establishment of the first three research and training centres of the United Nations University, which will be concerned with development economics, natural resources in Africa and biotechnology, respectively, and the further development of the work of the University in helping to strengthen existing institutions in developing countries through the extension of its networks of associate and co-operating institutions and in placing increased emphasis on its post-graduate training through fellowships relevant to the development of research, training and institution-building;

5. *Also notes with satisfaction* the further expansion of the co-operative activities of the United Nations University with the United Nations, its bodies and the specialized agencies, particularly United Nations research and training institutions, and the increasing collaboration of the University with the international academic and scientific community;

6. *Recognizes* that the United Nations University needs to build up its Endowment Fund and other contributions in order to increase its core income, to which end a number of Member States have already extended positive co-operation;

7. *Earnestly appeals* to all Member States to take cognizance of the important developments at the United Nations University and to contribute urgently and generously to its Endowment Fund and, additionally or alternatively, to make operating contributions to the University to enable it to fulfil its mandate effectively, in accordance with its Charter and with the relevant General Assembly resolutions.

*102nd plenary meeting  
19 December 1983*

### **38/179. Unified approach to development analysis and planning**

*The General Assembly,*

*Recalling* its resolutions 2542 (XXIV) of 11 December 1969, containing the Declaration on Social Progress and Development, 3409 (XXX) of 28 November 1975, concerning a unified approach to development analysis and planning, 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, 3362 (S-VII) of 16 September 1975 on development and international economic co-operation, 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade, and 37/202 of 20 December 1982, concerning the review and appraisal of the implementation of the International Development Strategy for the Third United Nations Development Decade.

*Bearing in mind* Economic and Social Council resolution 1747 (LIV) of 16 May 1973, which contains recommendations concerning a unified approach to development analysis and planning.

*Believing* that development is an integral process, embodying both economic and social objectives,

*Further believing* that a unified approach to analysis and planning of development at the national level is a possible and effective tool for promoting economic, social and human development and for providing increasing opportunities to all people for a better life.

*Reaffirming* that each State has the sovereign and inalienable right to choose its economic and social system in accordance with the will of its people and without outside interference,

1. *Takes note* of the report of the Secretary-General concerning the status of replies received from Governments on the experience acquired in applying a unified approach to the process of socio-economic development;<sup>139</sup>

2. *Reaffirms* its decision 36/405 of 19 November 1981 to continue consideration of the question of a unified approach to development analysis and planning, taking into account its importance for the process of development, as stressed in the International Development Strategy for the Third United Nations Development Decade;

3. *Invites* interested countries to send information to the Secretary-General on the experience acquired in applying a unified approach to the process of socio-economic development at the national level;

4. *Requests* the Secretary-General:

(a) To continue to study the question of a unified approach to the analysis and planning of development, in order to make available to all States the national and international experience gained in this field;

(b) To prepare, on the basis of the information offered by interested countries, a report on the application by Governments of a unified approach to development analysis and planning, taking into account both the experience gained in this field in the United Nations economic and social organs concerned and the results of the first review and appraisal of the implementation of the International Development Strategy for the Third United Nations Development Decade;

(c) To submit the report to the Economic and Social Council, at its second regular session of 1985, and to the General Assembly for consideration at its fortieth session, with a view to its utilization as an input in the future reviews and appraisals of the International Development Strategy for the Third United Nations Development Decade.

*102nd plenary meeting  
19 December 1983*

<sup>139</sup> A/38/62.



**38/192. Industrial development co-operation**

*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, 3362 (S-VII) of 16 September 1975 on development and international economic co-operation and 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade, in which, *inter alia*, the importance of industrialization in the development of developing countries is stressed,<sup>140</sup>

Recalling also the Lima Declaration and Plan of Action on Industrial Development and Co-operation,<sup>141</sup> in which were laid down the main measures and principles for industrial development and co-operation within the framework of the establishment of the new international economic order, and the New Delhi Declaration and Plan of Action on Industrialization of Developing Countries and International Co-operation for their Industrial Development,<sup>142</sup> in which a strategy was spelt out for the further industrialization of developing countries,

Recalling its resolutions 36/182 of 17 December 1981 and 37/212 of 20 December 1982 on industrial development co-operation,

Recalling Economic and Social Council resolution 1983/50 of 28 July 1983, in which the Council recommended that the work programmes of the relevant organs, organizations and bodies of the United Nations system should be geared towards supporting the full implementation of programmes of economic and technical co-operation among developing countries,

Recognizing that economic co-operation among developing countries is an integral part of a global development effort and of an interdependent world economy,

Stressing that interdependence in all sectors, including the industrial sector, should contribute to the prosperity of all countries, and believing that the industrial development of developing countries should constitute an essential part of the process of reactivation of the world economy,

Expressing its concern at the negative impact of the very difficult world economic situation on the industrialization of the developing countries and reiterating the need for a substantially increased transfer of financial and technical resources to developing countries for their accelerated industrial development,

Conscious of the role of the United Nations Industrial Development Organization as the central co-ordinating organ having primary responsibility within the United Nations system for the promotion of industrial development co-operation, for facilitating the transfer of industrial technology and for the delivery of increased technical assistance to developing countries,

Noting with concern that, in spite of the co-operative efforts of some countries, contributions to the United Nations Industrial Development Fund have remained far below the agreed desirable level of \$50 million, and that the value of the Fund has declined in real terms since its establishment,<sup>143</sup>

Recalling paragraph 10 of conclusion 1983/8 of the Industrial Development Board,<sup>144</sup> in which the Board re-emphasized the importance and effectiveness of the Senior Industrial Development Field Advisers Programme in implementing the wide range of programmes and services rendered by the United Nations Industrial Development Organization, noting further the reduction made by the United Nations Development Programme in its allocations for senior industrial development field advisers in the biennium 1984-1985 and expressing concern at the absence of adequate and predictable resources for the Senior Industrial Development Field Advisers Programme,

Bearing in mind the positive effects, *inter alia*, of economic policies of co-operation between different economic sectors—including the public, private, co-operative, social or mixed sectors, as appropriate—as well as of sustained growth and development,

Bearing in mind that, within the framework of the new international economic order, far-reaching changes in the structure of the world economy involve the restructuring of world industry, taking fully into account the capacities and potential of the developing countries,

## I

REPORT OF THE INDUSTRIAL DEVELOPMENT BOARD  
ON ITS SEVENTEENTH SESSION

1. Takes note of the report of the Industrial Development Board;<sup>145</sup>
2. Commends the Executive Director of the United Nations Industrial Development Organization for his efforts to enhance the role of the organization in promoting the industrialization of developing countries;
3. Decides that adequate resources should be provided to enable the United Nations Industrial Development Organization to implement fully its mandate, particularly in support of the activities established in priority areas: industrial technology, energy-related industrial technology, industrial production, development of human resources, special measures for least developed countries, the system of consultations and the Industrial Development Decade for Africa, declared by the Board to be one of the most important programmes of that organization;
4. Decides to authorize the Secretary-General to adjust, on the basis of the above agreed priorities, the proposed programme budget for the United Nations Industrial Development Organization for the biennium 1984-1985;<sup>146</sup>
5. Decides that adequate resources should be provided from the United Nations regular budget for the United Nations Industrial Development Organization in 1984 to maintain the total staffing of the Senior Industrial Development Field Advisers Programme at the existing level of already appointed senior industrial development field advisers, in addition to the utilization in full of the allocation in the United Nations Development Programme budget, including the carry-over from 1983, as well as voluntary funding through the United Nations Industrial Development Organization;
6. Appeals to all States, particularly developed countries, to provide voluntary contributions for the Senior Industrial Development Field Advisers Programme, aimed at maintaining and increasing the number of posts;

<sup>140</sup> Resolution 35/56, annex, paras. 72-80.

<sup>141</sup> See A/10112, chap. IV.

<sup>142</sup> ID/CONF.4/22 and Corr.1, chap. VI.

<sup>143</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 16 (A/38/16)*, para. 117.

<sup>144</sup> *Ibid.*, para. 113.

<sup>145</sup> *Ibid.*, Supplement No. 16 (A/38/16).

<sup>146</sup> *Ibid.*, Supplement No. 6 (A/38/6), vol. II, sect. 17.

7. *Invites* the United Nations Development Programme to finance the maximum possible number of senior industrial development field advisers during the biennium 1984-1985;

8. *Urges* all States, in particular developed countries, to contribute or raise their contributions to the United Nations Industrial Development Fund in order to achieve the agreed desirable annual level of \$50 million;

9. *Endorses* the decisions of the Industrial Development Board, contained in its conclusion 1983/4 of 13 May 1983, concerning consultations to be held during the biennium 1984-1985;<sup>147</sup>

10. *Requests* the Executive Director of the United Nations Industrial Development Organization to ensure that experts and expertise from developing as well as developed countries shall be associated with the process of preparation of consultations, having due regard for equitable geographical distribution, and that consultations shall be organized sufficiently in advance so as to allow enough time for a fuller exchange of views among participants, and expresses the hope that future consultations will result in action-oriented recommendations and conclusions;

11. *Reaffirms* its support for strengthening the system of consultations, in the light of experience gained, paying particular attention to measures that could increase the industrial capacities of developing countries;

12. *Requests* the Executive Director of the United Nations Industrial Development Organization to ensure that the documentation submitted to consultations for discussion focuses more narrowly on practical and well-defined subjects directly related to furthering progress in the industrialization of developing countries;

13. *Takes note* of the decision of the Industrial Development Board to begin an appraisal of the system of consultations at its eighteenth session on the basis of material provided by States, drawing on the experiences of their participants in the consultations, and to request the Executive Director of the United Nations Industrial Development Organization also to provide material for that appraisal;<sup>147</sup>

## II

### INDUSTRIAL DEVELOPMENT DECADE FOR AFRICA

*Recalling* its resolution 37/212 of 20 December 1982, and Economic and Social Council resolution 1983/70 of 29 July 1983 emphasizing the Industrial Development Decade for Africa as one of the most important programmes of the United Nations Industrial Development Organization,

*Recalling further* Industrial Development Board resolution 56 (XVII) of 13 May 1983,<sup>148</sup> in which the Board, *inter alia*, expressed its deep concern at the scarcity of resources, including resources made available by the United Nations Development Programme for the Decade, which had contributed to the limited progress achieved in the implementation of the preparatory phase of the Industrial Development Decade for Africa, whereas almost one third of the Decade had already elapsed,

*Considering* that the attainment of the objectives of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa<sup>149</sup> and the Final Act of Lagos<sup>150</sup> will, to a large extent, depend on the sustained development of industry and on structural adjustment in the industrial sector, with emphasis on selected strategic core industries,

*Noting* the deteriorating economic situation in Africa and that the number of the least developed countries in Africa has increased to twenty-six out of the present global total of thirty-six,

*Noting also* with serious concern the slow progress being made towards the realization of the African regional target of 1.4 per cent of world industrial production by 1990,

*Mindful* of the high level of investment expenditure required for promoting the objectives of the Industrial Development Decade for Africa,

*Noting with appreciation* the decision of the African Development Bank to provide increased financing for industrial projects in Africa during its 1982-1986 programme period,

1. *Takes note with appreciation* of the second progress report on the Industrial Development Decade for Africa, prepared jointly by the Executive Director of the United Nations Industrial Development Organization and the Executive Secretary of the Economic Commission for Africa;<sup>151</sup>

2. *Welcomes* the efforts made by the United Nations Industrial Development Organization to assist the African countries and intergovernmental organizations in the formulation of national and subregional programmes for the Decade, as well as in maintaining continuous and harmonious co-ordination with the secretariat of the Organization of African Unity, the Economic Commission for Africa and other relevant international organizations;

3. *Supports* Industrial Development Board resolution 56 (XVII) on the Industrial Development Decade for Africa and reiterates the repeated appeals already made to the international community to increase their contributions to the industrial development of Africa within the framework of the programme for the Industrial Development Decade for Africa, with a view to accelerating the pace of industrial development, in order to ensure that the target set by the African Governments of a 1.4 per cent share of world industrial production will be achieved by the African region during the Decade;

4. *Decides* to accord high priority to the Industrial Development Decade for Africa among the programmes of the United Nations Industrial Development Organization and the Economic Commission for Africa and, consequently, requests the Secretary-General to ensure that this priority shall be fully reflected in the programme budgets of those organizations;

5. *Decides further* to increase the allocation to the United Nations Industrial Development Organization, to the extent possible through overall savings from the United Nations regular budget, by \$1 million in 1984 for assistance to African countries and to intergovernmental organizations in the implementation of the programme for the Industrial Development Decade for Africa and in the popularization of the Decade, priority being accorded to the formulation of industrial policies, strategies and plans, the development of core industries, industrial manpower, technological capabilities and institutional infrastructures, the development of energy technology and equipment, the promotion of intra-African industrial co-operation, the development of the least developed countries and the mobilization of financial resources;

6. *Appeals* to all countries and institutions to increase their contributions to the United Nations Industrial Development Fund, taking into account the financial requirements of the projects directed towards the imple-

<sup>147</sup> *Ibid.*, Supplement No. 16 (A/38/16), para. 76.

<sup>148</sup> *Ibid.*, Supplement No. 16 (A/38/16), annex I.

<sup>149</sup> A/S-11/14, annex I.

<sup>150</sup> *Ibid.*, annex II.

<sup>151</sup> E/1983/104, annex.

mentation of the programme for the Industrial Development Decade for Africa;

7. *Urges* the Governing Council of the United Nations Development Programme to consider increasing its allocation of financial resources for assistance to African countries and intergovernmental organizations in planning and formulating their programmes for the Industrial Development Decade for Africa and to accord high priority to industrial projects, especially for the development of core industries, in its national and regional programmes for Africa;

8. *Appeals* to donor countries, international financial institutions and regional development banks to increase the flow of financial resources for the implementation of national, subregional and regional projects and activities of the Industrial Development Decade for Africa;

9. *Requests* the Executive Director of the United Nations Industrial Development Organization, in cooperation with the Economic Commission for Africa, to submit, through the Industrial Development Board at its eighteenth session and the Economic and Social Council at its second regular session of 1984, a report to the General Assembly at its thirty-ninth session on the progress made in the implementation of the programme for the Industrial Development Decade for Africa;

### III

#### FOURTH GENERAL CONFERENCE OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

1. *Decides* that the Fourth General Conference of the United Nations Industrial Development Organization shall be held at Vienna, at the seat of the organization, from 2 to 18 August 1984;

2. *Notes with satisfaction* the progress made in the preparations for the Conference;

3. *Recommends* that preparatory meetings should take place at the regional and interregional levels, in order that there might be the fullest possible consultation among all States prior to the convening of the Conference;

4. *Requests* the Secretary-General to invite:

(a) All States to participate actively in the Conference;

(b) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices, in the capacity of observers, to participate in the Conference in that capacity, in accordance with Assembly resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976;

(c) Representatives of the national liberation movements recognized in its region by the Organization of African Unity to participate in the Conference in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(d) The specialized agencies and the International Atomic Energy Agency, the regional commissions and the interested organs of the United Nations to be represented at the Conference;

(e) Interested intergovernmental organizations to be represented by observers at the Conference;

(f) Directly concerned non-governmental organizations in consultative status with the Economic and Social Council to be represented by observers at the Conference;

5. *Also requests* the Secretary-General to ensure that the necessary arrangements are made for the effective participation in the Conference of the representatives referred

to in paragraph 4 (b) and (c) above, including the requisite financial provisions for their travel expenses and per diem;

6. *Requests* the Secretary-General and the Executive Director of the United Nations Industrial Development Organization to seek extrabudgetary resources for the effective participation in the Conference of the representatives of the least developed countries, including the requisite financial provisions for the travel expenses and per diem of two representatives from each of these countries.

*104th plenary meeting  
20 December 1983*

#### 38/193. Conversion of the United Nations Industrial Development Organization into a specialized agency

*The General Assembly,*

*Recalling* its resolution 34/96 of 13 December 1979,

*Bearing in mind* the Constitution of the United Nations Industrial Development Organization,<sup>152</sup> which has been ratified, accepted or approved by more than the minimum number of States whose agreement is required for its entry into force,

*Recalling* its resolution 37/213 of 20 December 1982 in which it laid down the schedule of consultations as required in accordance with article 25, paragraph 1, of the Constitution,

1. *Takes note* of the report of the formal meeting on the conversion of the United Nations Industrial Development Organization into a specialized agency, held at Vienna from 16 to 20 May 1983;<sup>153</sup>

2. *Urges* all States that have not yet done so to ratify the Constitution of the United Nations Industrial Development Organization;

3. *Requests* the Secretary-General:

(a) To undertake consultations with States that have deposited instruments of ratification, acceptance or approval, with a view to determining, *inter alia*, if financial viability is adequately ensured, and, subsequently, to convene the one-day meeting foreseen in paragraph 1 (c) of General Assembly resolution 37/213 to execute individual notifications to the Secretary-General for the entry into force of the Constitution of the United Nations Industrial Development Organization;

(b) To undertake, also, consultations with all interested States with a view to facilitating early ratification of the Constitution of the United Nations Industrial Development Organization by those States that have not yet done so;

4. *Invites* the competent organs of the new United Nations Industrial Development Organization to consider without delay the question of establishing a working capital fund, and to this end the present United Nations Industrial Development Organization secretariat should study possible modalities for that purpose and report thereon to the first General Conference of the United Nations Industrial Development Organization;

5. *Requests* the Secretary-General to initiate the necessary action to implement the recommendations made in paragraphs 27 and 29 of the report of the formal meeting on the conversion of the United Nations Industrial Development Organization into a specialized agency;<sup>153</sup>

6. *Decides* that adequate resources be provided in the regular budget of the United Nations Industrial Develop-

<sup>152</sup> A/CONF.90/19.

<sup>153</sup> A/38/141.

ment Organization for the biennium 1984-1985 to ensure the provision of the necessary funds, in accordance with paragraph 7 of General Assembly resolution 34/96, for the first General Conference of the United Nations Industrial Development Organization and other costs associated with the conversion of the organization into a specialized agency;

7. *Decides further* that the financial implications pertaining to paragraph 6 above will be considered by the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

### 38/194. Revision of the lists of States eligible for membership in the Industrial Development Board

*The General Assembly,*

*Recalling* section II, paragraph 4, of its resolution 2152 (XXI) of 17 November 1966 on the United Nations Industrial Development Organization,

*Decides* to include Saint Christopher and Nevis in list C of the annex to resolution 2152 (XXI).<sup>154</sup>

*104th plenary meeting  
20 December 1983*

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*As a result of the above resolution, the lists of States eligible for membership in the Industrial Development Board will be as follows:*

#### A. LIST OF STATES INDICATED IN SECTION II, PARAGRAPH 4 (a), OF GENERAL ASSEMBLY RESOLUTION 2152 (XXI)

Afghanistan	India
Algeria	Indonesia
Angola	Iran (Islamic Republic of)
Bahrain	Iraq
Bangladesh	Israel
Benin	Ivory Coast
Bhutan	Jordan
Botswana	Kenya
Burma	Kuwait
Burundi	Lao People's Democratic Republic
Cape Verde	Lebanon
Central African Republic	Lesotho
Chad	Liberia
China	Libyan Arab Jamahiriya
Comoros	Madagascar
Congo	Malawi
Democratic Kampuchea	Malaysia
Democratic People's Republic of Korea	Maldives
Democratic Yemen	Mali
Djibouti	Mauritania
Egypt	Mauritius
Equatorial Guinea	Mongolia
Ethiopia	Morocco
Fiji	Mozambique
Gabon	Nepal
Gambia	Niger
Ghana	Nigeria
Guinea	Oman
Guinea-Bissau	Pakistan

Papua New Guinea	Syrian Arab Republic
Philippines	Thailand
Qatar	Togo
Republic of Korea	Tunisia
Rwanda	Uganda
Sao Tome and Principe	United Arab Emirates
Saudi Arabia	United Republic of Cameroon
Senegal	United Republic of Tanzania
Seychelles	Upper Volta
Sierra Leone	Vanuatu
Singapore	Viet Nam
Solomon Islands	Yemen
Somalia	Yugoslavia
South Africa	Zaire
Sri Lanka	Zambia
Sudan	Zimbabwe
Swaziland	

#### B. LIST OF STATES INDICATED IN SECTION II, PARAGRAPH 4 (b)

Australia	Luxembourg
Austria	Malta
Belgium	Monaco
Canada	Netherlands
Cyprus	New Zealand
Denmark	Norway
Finland	Portugal
France	Spain
Germany, Federal Republic of	Sweden
Greece	Switzerland
Iceland	Turkey
Ireland	United Kingdom of Great Britain and Northern Ireland
Italy	Ireland
Japan	United States of America
Liechtenstein	

#### C. LIST OF STATES INDICATED IN SECTION II, PARAGRAPH 4 (c)

Antigua and Barbuda	Guyana
Argentina	Haiti
Bahamas	Honduras
Barbados	Jamaica
Belize	Mexico
Bolivia	Nicaragua
Brazil	Panama
Chile	Paraguay
Colombia	Peru
Costa Rica	Saint Christopher and Nevis
Cuba	Saint Lucia
Dominica	Saint Vincent and the Grenadines
Dominican Republic	Suriname
Ecuador	Trinidad and Tobago
El Salvador	Uruguay
Grenada	Venezuela
Guatemala	

#### D. LIST OF STATES INDICATED IN SECTION II, PARAGRAPH 4 (d)

Albania	Poland
Bulgaria	Romania
Byelorussian Soviet Socialist Republic	Ukrainian Soviet Socialist Republic
Czechoslovakia	Union of Soviet Socialist Republics
German Democratic Republic	
Hungary	

### 38/195. Implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries

*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

<sup>154</sup> For the other changes in the lists since the adoption of resolution 2152 (XXI), see resolutions 2385 (XXIII) of 19 November 1968, 2510 (XXIV) of 21 November 1969, 2637 (XXV) of 19 November 1970, 2824 (XXVI) of 16 December 1971, 2954 (XXVII) of 11 December 1972, 3088 (XXVIII) of 6 December 1973, 3305 (XXIX) of 14 December 1974, 3401 A (XXX) of 28

November 1975, 3401 B (XXX) of 9 December 1975, 31/160 of 21 December 1976, 32/108 of 15 December 1977, 33/79 of 15 December 1978, 34/97 of 13 December 1979, 35/65 of 5 December 1980 and 36/181 of 17 December 1981.

Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation.

*Reaffirming* the provisions of the International Development Strategy for the Third United Nations Development Decade relating to the least developed countries,<sup>155</sup>

*Reaffirming* the Substantial New Programme of Action for the 1980s for the Least Developed Countries,<sup>156</sup> adopted unanimously by the United Nations Conference on the Least Developed Countries and endorsed by the General Assembly in its resolution 36/194 of 17 December 1981,

*Recalling* its resolutions 36/194 of 17 December 1981 and 37/224 of 20 December 1982,

*Expressing serious concern* at the continued deterioration of the economic and social situation of the least developed countries in spite of their national efforts at development, as well as efforts made by the international community, including donor countries, even two years after the adoption of the Substantial New Programme of Action, and stressing the immediate need for greatly expanded support measures, including a major increase in the transfer of additional resources for the realization of the objectives of the Programme.

*Bearing in mind* the debt problems faced by the least developed countries,

*Reaffirming also* that the main objectives of the Substantial New Programme of Action are to transform the economies of the least developed countries towards self-sustaining development, to promote the structural changes necessary to overcome the extreme economic difficulties of the least developed countries, to provide fully adequate and internationally accepted minimum standards of nutrition, health, transport and communications, housing and education, as well as job opportunities, to all their citizens, to identify and support major investment opportunities and priorities and to mitigate the adverse effects of natural disasters,

*Recognizing* that only a substantial increase in official development assistance in real terms during the present decade will enable the least developed countries to achieve the objectives of their country programmes within the framework of the Substantial New Programme of Action, in accordance with aid targets and modalities contained in the Programme, and emphasizing that external assistance complements and reinforces domestic efforts in the least developed countries themselves,

*Alarmed* at the negative impact of the current world economic crisis on the least developed countries,

*Deeply concerned* at the very slow pace at which the Substantial New Programme of Action has been implemented so far,

*Recalling* resolution 142 (VI) of 2 July 1983 of the United Nations Conference on Trade and Development<sup>157</sup> on progress in the implementation of the Substantial New Programme of Action,

*Taking note* of the report of the Secretary-General on the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries,<sup>158</sup>

1. *Emphasizes* that, in view of their deteriorating socio-economic situation, the least developed countries need the urgent and special attention of the international community and its large-scale support on a continuous

basis to enable them to progress towards self-reliant development, consistent with the plans and programmes of each least developed country;

2. *Reaffirms* the commitment of the international community to the Substantial New Programme of Action for the 1980s for the Least Developed Countries and urges all countries, international institutions and others concerned to implement fully and effectively their commitments under the Programme;

3. *Welcomes* the adoption by the United Nations Conference on Trade and Development at its sixth session of resolution 142 (VI), reflecting the unanimous support of the international community;

4. *Urges* donor countries, within the overall context of the Substantial New Programme of Action, as adopted, and of progress towards the 0.7 per cent target, to attain 0.15 per cent of their gross national product as official development assistance or to double their official development assistance to the least developed countries by 1985 or as soon as possible thereafter, and recognizes the importance to the least developed countries of flows of official development assistance to them being doubled by 1985, in relation to the transfers to them during the period 1976-1980;

5. *Calls upon* the international community to provide support measures for the efforts of the least developed countries in the priority sectors established by the Governments of the least developed countries in their country programmes and embodied in the Substantial New Programme of Action, particularly food and agriculture, manufacturing industries, exploration and development of energy and natural resources, human resources development, expansion and diversification of exports, development of transport and communications, and improvement in planning, implementation and management capabilities;

6. *Reaffirms* that the least developed countries have primary responsibility for their overall development and that, although international support measures are vitally important, the domestic policies that those countries pursue will be of critical importance for the success of their development efforts;

7. *Urges* all donor countries to make adequate special allocations to the Special Measures Fund for the Least Developed Countries of the United Nations Development Programme and to the United Nations Capital Development Fund or through other suitable channels for the least developed countries, including other existing funds and resources of the United Nations, to assist in the implementation of the Substantial New Programme of Action, and invites the Administrator of the United Nations Development Programme to continue his efforts to mobilize additional resources for the activities under his administration;

8. *Stresses* the critical importance of the International Development Association to the least developed countries, calls upon Governments to implement speedily their commitments undertaken with regard to the sixth replenishment of the Association and urges that negotiations on the seventh replenishment be completed as soon as possible and at an adequate level;

9. *Urges* developed donor countries that have not yet done so to implement fully and rapidly the commitments undertaken in pursuance of section A of Trade and Devel-

<sup>155</sup> Resolution 35/56, annex, paras. 136-155.

<sup>156</sup> Report of the United Nations Conference on the Least Developed Countries, Paris, 1-14 September 1981 (United Nations publication, Sales No. E.82.I.8), part one, sect. A.

<sup>157</sup> See *Proceedings of the United Nations Conference on Trade and Development, Sixth Session, vol. I, Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

<sup>158</sup> A/38/471.

opment Board resolution 165 (S-IX) of 11 March 1978,<sup>159</sup> in respect of least developed countries, and calls upon developed countries to respond in a positive manner to requests from individual least developed countries, taking into account the particular circumstances and the requirements of the situation of the debtor country, for an alleviation of their debt burdens resulting from official development assistance loans provided by the developed country concerned;

10. *Welcomes* the provision by some donors of assistance to least developed countries entirely in the form of grants, as well as in more flexible forms such as local and recurrent-costs financing, maintenance aid, rehabilitation aid and balance-of-payments support, adapted to the special needs of the least developed countries and in response to their deteriorating economic and social situation, and urges other donors to take similar steps as a general rule;

11. *Calls upon* donor countries to provide official development assistance to the least developed countries on an untied basis to the maximum extent possible;

12. *Urges* all donors and all concerned to improve the quality and effectiveness of aid and to reduce, to the maximum extent possible, the time-lag between aid commitment and disbursement;

13. *Also urges* countries and institutions concerned to implement, to the maximum extent possible, the agreed conclusions of the Second Meeting of Multilateral and Bilateral Financial and Technical Assistance Institutions with Representatives of the Least Developed Countries, held at Geneva from 11 to 20 October 1982;<sup>160</sup>

14. *Reaffirms* the decision of the United Nations Conference on Trade and Development at its sixth session relating to assistance to least developed countries in the spirit of collective self-reliance and in the context of economic co-operation among developing countries, in accordance with paragraph 13 of resolution 142 (VI) of the Conference;<sup>154</sup>

15. *Strongly recommends* that the first round of review meetings at the national level on the implementation of the Substantial New Programme of Action, to be held in accordance with paragraphs 110 to 116 of the Programme, should be completed by 1983 or soon thereafter, without prejudice to the timing of the global review in 1985;

16. *Requests* the Administrator of the United Nations Development Programme to continue supporting and making arrangements for the round-table meetings for the least developed countries, as required;

17. *Reaffirms* that regular review and monitoring of the progress made in the implementation of the Substantial New Programme of Action at the national, regional and global levels should be undertaken as envisaged in the Programme to maintain the momentum of commitments made by the international community and to promote the implementation of the plans and programmes of the least developed countries;

18. *Urges* all countries, particularly donor countries, and institutions to respond expeditiously, on a regular basis, to the questionnaires of the secretariat of the United Nations Conference on Trade and Development on the steps they are taking to implement the Substantial New Programme of Action to be used in making an objective assessment of the progress made in the implementation process;

19. *Renews its invitation* to the governing bodies of appropriate organs, organizations and bodies of the United

Nations system to take the necessary and appropriate measures for effective implementation and follow-up of the Substantial New Programme of Action within their respective spheres of competence and mandates;

20. *Invites* the Committee on the Review and Appraisal of the Implementation of the International Development Strategy for the Third United Nations Development Decade to take into account the adoption and implementation process of the Substantial New Programme of Action and related developments in its review and appraisal exercise at all levels;

21. *Requests* the Trade and Development Board, at its twenty-eighth session, to take a decision on the convening, as part of the preparation for the mid-term global review of the implementation of the Substantial New Programme of Action, of a third meeting of multilateral and bilateral financial and technical assistance institutions with representatives of the least developed countries, taking into account the wish of the least developed countries; the meeting should, *inter alia*:

(a) Undertake a review and assessment of the economic situation of the least developed countries and of assistance requirements for their accelerated progress;

(b) Evaluate and put forward relevant recommendations to improve aid practices and management, notably as regards terms and conditions of aid, adapting assistance criteria to the specific needs of the least developed countries, types of aid and priority areas, administration and management of aid programmes, and technical assistance;

(c) Evaluate the results of the individual country meetings convened in accordance with paragraph 111 of the Substantial New Programme of Action and make recommendations aimed at improving the co-ordination of assistance programmes;

and requests the Secretary-General of the United Nations Conference on Trade and Development to take the necessary action in this regard;

22. *Reaffirms* its decision that the Intergovernmental Group on the Least Developed Countries of the United Nations Conference on Trade and Development, at its high-level meeting in 1985, should carry out, *inter alia*, the mid-term review of the implementation of the Substantial New Programme of Action,<sup>161</sup> and urges that all necessary steps be taken to ensure appropriate preparations for an in-depth review on that occasion, stressing the importance of the timely preparation of the necessary documentation, including specific recommendations for the full and expeditious implementation of the Substantial New Programme of Action by the United Nations Conference on Trade and Development and other competent organizations, as requested in the Programme;

23. *Requests* the Director-General for Development and International Economic Co-operation, in conformity with paragraph 123 of the Substantial New Programme of Action, to continue, in close collaboration with the Secretary-General of the United Nations Conference on Trade and Development, the executive secretaries of the regional commissions and the lead agencies for the aid consultative groups, to ensure at the secretariat level the full mobilization and co-ordination of the United Nations system for the purpose of implementation and follow-up of the Substantial New Programme of Action, taking into account, in particular, the mid-term global review to be held in 1985;

<sup>159</sup> Official Records of the General Assembly, Thirty-third Session, Supplement No. 15 (A/33/15), vol. I, part two, annex I.

<sup>160</sup> See TD/B/933, part two.

<sup>161</sup> Resolution 36/94, para. 9.

24. *Requests* the Secretary-General to submit a report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

*104th plenary meeting  
20 December 1983*

### 38/196. Confidence-building in international economic relations

*The General Assembly,*

*Taking into account* the Charter of the United Nations, article 32 of the Charter of Economic Rights and Duties of States<sup>162</sup> and General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 and 2625 (XXV) of 24 October 1970,

*Concerned* about the present deterioration in the conditions for the conduct and expansion of international economic relations, and about the increasing departure from the multilateral platform of economic exchanges and negotiations,

*Convinced* that international economic co-operation should be placed on a long-term stable basis, a basis of broad exchange of relevant information through the United Nations system, and that it should take due account of the principles of equal rights and sovereignty of States,

*Conscious* that confidence-building in international economic relations can be achieved only through the sustained development of the developing countries,

*Convinced also* that the protection of economic co-operation among States against the adverse impact of international political tensions, and the reinforcement of confidence among all States in their economic relations, would introduce into those relations desirable elements of stability and reliability, as a valuable contribution to efforts aimed at reviving world trade and consolidating economic recovery, developing peaceful international economic co-operation and establishing a new international economic order,

*Requests* the Secretary-General to consult all States, as well as the United Nations organizations and bodies concerned, especially the United Nations Conference on Trade and Development and the regional commissions, about the scope of possible confidence-building measures, which would lead to the promotion and acceleration of international economic co-operation and to report on his findings to the General Assembly at its thirty-ninth session through the Economic and Social Council.

*104th plenary meeting  
20 December 1983*

### 38/197. Economic measures as a means of political and economic coercion against developing countries

*The General Assembly,*

*Recalling* the relevant principles set forth in the Charter of the United Nations,

*Recalling also* its resolutions 2625 (XXV) of 24 October 1970, containing the Declaration on Principles of International Law concerning Friendly Relations and Co-

operation among States in accordance with the Charter of the United Nations, 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, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States

*Recalling further* article 32 of the Charter of Economic Rights and Duties of States, which states that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

*Bearing in mind* the general principles governing international trade relations and trade policies for development contained in its resolution 1995 (XIX) of 30 December 1964,

*Recalling* resolution 152 (VI) of 2 July 1983 of the United Nations Conference on Trade and Development,<sup>163</sup> entitled "Rejection of coercive economic measures"

*Bearing in mind* the principles and rules of the General Agreement on Tariffs and Trade and paragraph 7 (iii) of the Ministerial Declaration adopted on 29 November 1982 by the Contracting Parties of the General Agreement on Tariffs and Trade at their thirty-eighth session,<sup>164</sup>

*Recognizing* that some developed countries are resorting more and more frequently to threats or the application of coercive and restrictive measures of increasing scope as an instrument for exerting political pressure on some developing countries,

*Recognizing also* that these measures are at variance with the Charter of the United Nations, the Charter of Economic Rights and Duties of States and the General Agreement on Tariffs and Trade,

*Considering* that coercive measures have a negative effect on the economies of the developing countries and their development efforts and do not help to create a climate of peace and friendly relations among States,

1. *Deplores* the adoption by certain developed countries taking advantage of their predominant position in the international economy, of economic measures to exert coercion on the sovereign decisions of developing countries;

2. *Urges* those developed countries, therefore, to refrain from adopting measures aimed at exerting coercion or pressure in order to interfere in the exercise of the sovereign rights of the developing countries;

3. *Reaffirms* that developed countries should refrain from threatening or applying trade restrictions, blockades, embargoes and other economic sanctions, incompatible with the provisions of the Charter of the United Nations and in violation of undertakings contracted multilaterally or bilaterally, against developing countries as a form of political and economic coercion which affects their economic, political and social development;

4. *Requests* the Secretary-General to compile information provided by Governments on the adoption and the effects of the economic measures mentioned in paragraph 3 above, taken by developed countries as a means of political and economic coercion against developing countries, and to submit that information to the General Assembly for consideration at its thirty-ninth session;

<sup>162</sup> Resolution 3281 (XXIX).

<sup>163</sup> See *Proceedings of the United Nations Conference on Trade and Development, Sixth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

<sup>164</sup> See *General Agreement on Tariffs and Trade, Basic Instruments and Selected Documents, Supplement No. 29* (Sales No. GATT/1983-1), document T/1983-1.

5. *Appeals* to Governments to provide the necessary information to the Secretary-General, as requested in paragraph 4 above.

104th plenary meeting  
20 December 1983

**38/198. International year for the mobilization of financial and technological resources to increase food and agricultural production in Africa**

*The General Assembly,*

Recalling its resolution 37/246 of 21 December 1982 on an international year for the mobilization of financial and technological resources for food and agriculture in Africa.

Noting with great alarm that, since the adoption of its resolutions 35/69 of 5 December 1980, 36/186 of 17 December 1981 and 37/246 of 21 December 1982, the situation of food and agriculture in Africa has worsened, as evidenced by a drastic decline in self-reliance in food,

Recognizing the critical financial gap which seriously hinders the growth of the agricultural sector in African countries,

Recognizing also that the technological gap in Africa has a direct relationship with declining agricultural productivity, which is aggravated by natural factors such as drought and desertification,

Recognizing further that all countries of Africa should implement, in accordance with their national development programmes and priorities, measures to increase substantially their national food and agriculture programmes through, *inter alia*, national, subregional and regional measures, including economic and technical co-operation among developing countries,

Recognizing the role of food-sector strategies, which emerged from the World Food Council as a means for interested developing countries to adopt an integrated approach for increasing food production, improving consumption and attracting the necessary additional international resources,

Having considered the report of the Secretary-General on the implications of declaring an international year for the mobilization of financial and technological resources for food and agriculture in Africa,<sup>165</sup>

1. Takes note of the report of the Secretary-General;
2. Notes that the year 1991 might be designated international year for the mobilization of financial and technological resources to increase food and agricultural production in Africa, bearing in mind the relevant criteria set forth in the annex to Economic and Social Council resolution 1980/67 of 25 July 1980;
3. Requests the Secretary-General, in consultation with the relevant organs, organizations and bodies of the United Nations system, to elaborate action-oriented proposals in respect of the international year for the mobilization of financial and technological resources to increase food and agricultural production in Africa and to report on the implementation of the present resolution to the General Assembly at its fortieth session, through the Economic and Social Council.

104th plenary meeting  
20 December 1983

**38/199. Special measures for the social and economic development of Africa in the 1980s**

*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 its resolution 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

Recalling also its resolutions 35/64 of 5 December 1980 and 36/180 of 17 December 1981, concerning the adoption of a wide range of special measures for the social and economic development of Africa in the 1980s,

Recalling further section II of its resolution 36/182 of 17 December 1981 and section II of its resolution 37/212 of 20 December 1982, on the Industrial Development Decade for Africa, and its resolutions 37/140 of 17 December 1982 on the Transport and Communications Decade in Africa and 37/245 of 21 December 1982 on the situation of food and agriculture in Africa,

Recalling its resolution 37/139 of 17 December 1982, in which it, *inter alia*, urged donor countries to provide substantial and sustained levels of resources for promoting the accelerated development of African countries and the effective implementation of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa,<sup>166</sup> and to contribute generously to the United Nations Trust Fund for African Development,

Deeply concerned at the negative effects of the current world economic crisis on the economies of African countries and at the scourges that ravage the African continent, which suffers mainly from structural problems, *inter alia* the lowest level of literacy and training and rudimentary structures in the field of health and housing, as well as the extremely precarious living conditions of the largest number of refugees in the world,

Expressing its deep concern at the extreme gravity of the food situation in Africa, which is aggravated by chronic droughts, the continued decrease in food self-reliance and the continued increase in volume of the imports of food products in Africa, particularly in the Sudano-Sahelian and southern regions, and noting that, among other factors, the rate of increase of food production in Africa continues to lag behind population growth,

Recognizing that Africa is the least industrialized region in the world, that this specific situation necessitates the full implementation of the objectives set out in the programme for the Industrial Development Decade for Africa and that, in order to reverse the existing situation, sustained efforts by the international community are required to achieve the effective implementation of the objectives of the Decade,

Recognizing also that Africa is confronted with exceptionally serious economic and social problems, highlighted, *inter alia*, by the fact that it contains three quarters of the least developed countries and half of the land-locked countries of the world,

Convinced of the need for increased and sustained external resources on a predictable and continuous basis in

<sup>165</sup> A/38/277-E/1983/96.

<sup>166</sup> A/S-11/14, annex I.



order to achieve in a co-ordinated manner the aims and objectives of the Lagos Plan of Action and the Final Act of Lagos,<sup>167</sup>

*Recalling* that there is a need for a thorough evaluation of the implementation of special measures for the social and economic development of Africa during the mid-term review and appraisal of the International Development Strategy for the Third United Nations Development Decade,

*Having considered* the third report of the Secretary-General on special measures for the social and economic development of Africa in the 1980s,<sup>168</sup> which reviews special measures taken by the international community to that end,

1. *Takes note* of the third report of the Secretary-General on special measures for the social and economic development of Africa in the 1980s;

2. *Expresses its regret* that, despite efforts undertaken by the international community over the past three years, the resources thus far provided are not commensurate with African development requirements;

3. *Notes* the disappointing results of the Fourth Biennial Pledging Conference for the United Nations Trust Fund for African Development, held at Addis Ababa on 2 May 1983, particularly for projects aimed at assisting the least developed countries of Africa;<sup>169</sup>

4. *Expresses its gratitude* to all countries which participated and made pledges during that conference;

5. *Strongly urges* all donor countries to implement their commitments, as contained in paragraphs 61 to 69 of the Substantial New Programme of Action for the 1980s for the Least Developed Countries, as adopted,<sup>170</sup> so as to achieve, in that regard, a substantial increase in resources for the development of the least developed countries, twenty-six of which are in Africa;

6. *Welcomes* the steps taken by a number of donor countries to increase their contributions to the United Nations Development Programme, expresses its concern at the decline in real terms in the United Nations Development Programme assistance given to the developing countries through the United Nations system, reflecting a general decrease in multilateral concessional assistance in real terms, which adversely affects the country and regional programmes for Africa of the Programme during the third programming cycle, 1982-1986, and urges all countries, particularly those that have not done so, to increase their annual contributions to the Programme;

7. *Also urges* donor countries to provide substantial and sustained levels of resources for promoting the accelerated development of African countries and the effective implementation of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa and the Final Act of Lagos, and to contribute generously to the United Nations Trust Fund for African Development;

8. *Recognizes* the important contribution consultative groups and round-table meetings can make to African development by enhancing aid co-ordination and mobilizing additional resources and urges African and donor countries to continue to co-operate to that end;

9. *Invites* all international financial institutions, particularly the World Bank, the International Development Association and the International Fund for Agricultural Development, to continue actively to consider increasing substantially their development assistance to Africa and to

treat the matter of making a special effort in support of African economic and social development with the urgency it requires;

10. *Renews its call* to the organs, organizations and bodies of the United Nations system to examine measures to increase the resources for the execution of the programmes for the Industrial Development Decade for Africa and the Transport and Communications Decade in Africa and to apply the special measures in a comprehensive and co-ordinated manner;

11. *Stresses* its deep concern at the gravity of the food situation in Africa and the continuing decline in the food self-reliance ratio, urgently calls upon the African countries to accord due priority to food and agricultural production in their national and subregional plans and also urges donor countries and international agencies to increase their support for the implementation of the measures contained in the Lagos Plan of Action in the area of food and agriculture;

12. *Supports* the urgent appeal launched by the Food and Agriculture Organization of the United Nations in favour of the twenty-two African countries threatened by food shortages and urges the international community to respond generously to that appeal by providing the additional food aid and rehabilitation inputs required;

13. *Requests* the Secretary-General to convene, in co-operation with the Executive Secretary of the Economic Commission for Africa, the Fifth Biennial Pledging Conference for the United Nations Trust Fund for African Development and to take the necessary measures to ensure its success and, in this regard, appeals to donor countries, relevant United Nations organs, international and regional financial institutions and other interested public and private bodies to participate fully and contribute generously to the Fund;

14. *Requests* the Secretary-General to continue to allocate the necessary resources to the Economic Commission for Africa, taking into account its role as the main economic and social development centre within the United Nations system for the African region, in accordance with General Assembly resolutions 32/197 of 20 December 1977 and 33/202 of 29 January 1979;

15. *Further requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session, through the Economic and Social Council at its second regular session of 1984, a comprehensive report, prepared on a uniform basis and including figures, on the activities throughout the United Nations system in relation to Africa and on the progress made in the implementation of the present resolution.

*104th plenary meeting  
20 December 1983*

### **38/200. Immediate measures in favour of the developing countries**

*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,

<sup>167</sup> *Ibid.*, annex II.

<sup>168</sup> A/38/275-E/1983/88.

<sup>169</sup> *Ibid.*, para. 7.

<sup>170</sup> *Report of the United Nations Conference on the Least Developed Countries, Paris, 1-14 September 1981* (United Nations publication, Sales No. E.82.1.8), part one, sect. A.

Recalling also its resolution 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade, and in particular the policy measures envisaged in the Strategy,

Recalling further its resolution 37/252 of 21 December 1982 on immediate measures in favour of the developing countries,

Taking into account, *inter alia*, the immediate measures adopted by the United Nations Conference on Trade and Development at its sixth session,<sup>171</sup> and noting related efforts in favour of developing countries by the relevant organs, organizations and bodies of the United Nations system,

Taking note of the Programme of Immediate Measures in Areas of Critical Importance to Developing Countries, contained in section V of the Economic Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>172</sup> and the proposals contained in the Buenos Aires Platform, adopted at the Fifth Ministerial Meeting of the Group of 77, held from 28 March to 9 April 1983,<sup>173</sup>

Taking note of the proposals on the immediate measures contained in the Declaration of the Ministers for Foreign Affairs of the Group of 77, adopted in New York on 10 October 1983,<sup>174</sup>

Noting that while effective action by the international community is indispensable for the creation of an environment that is fully supportive of the national and collective efforts of the developing countries for the realization of their development goals, the primary responsibility for the development of developing countries rests with those countries themselves,

Aware that certain economic indicators point to the recovery of some major developed market-economy countries, but that, while the recovery of the developed market-economy countries could be potentially beneficial to the developing countries, by itself it would not be sufficient and could be aborted unless policy measures address both the revitalization of the world economy and the reactivation of the development process in the developing world,

Gravely concerned about the present world economic climate of crisis and its negative impact on the developing countries and their development prospects,

Reiterating, in that context, the need for the immediate adoption of concrete measures in areas of critical importance to the developing countries,

Also aware, in that context, that both immediate and structural problems must be addressed fully and in a coherent manner,

1. Agrees that concrete immediate measures in favour of the developing countries should be taken in order to contribute to the easing of current economic problems, to promote the accelerated growth and development of the developing countries on a sustained basis and to promote the reactivation of the world economy;

2. Agrees that immediate measures within the organs, organizations and bodies of the United Nations system should include measures directed, *inter alia*, at progress in the following areas:

(a) Food and agriculture, including special food aid measures as required for seriously affected food-deficit countries in Africa;

(b) Money and finance, transfer of resources, including official development assistance, indebtedness and multilateral development activities;

(c) Trade and raw materials, including access to markets for the exports of developing countries, and urgent appropriate action in the area of commodities;

(d) Development of the energy resources of the developing countries;

(e) Implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries;<sup>175</sup>

3. Urges all Governments, bearing in mind the particular contribution developed countries can make, to pursue effective negotiating efforts, within the organs, organizations and bodies of the United Nations system, with a view to the adoption of concrete measures in the areas described in paragraph 2 above;

4. Agrees that policy measures of an immediate nature should be taken into account in the review and appraisal of the International Development Strategy for the Third United Nations Development Decade;

5. Requests the relevant organs, organizations and bodies of the United Nations system, in their areas of competence and in accordance with their decisions, to take the appropriate action necessary for the implementation of immediate measures in the areas referred to in paragraph 2 above;

6. Requests the Secretary-General, in co-operation with the executive heads of the organs, organizations and bodies of the United Nations system, to submit a report on the implementation of the present resolution to the General Assembly at its thirty-ninth session.

104th plenary meeting  
20 December 1983

### 38/201. Liquidation of the United Nations Emergency Operation Trust Fund and allocation of the remaining balance

The General Assembly,

Taking note of the report of the Secretary-General concerning the need for liquidation of the United Nations Emergency Operation Trust Fund,<sup>176</sup>

Fully aware of the original objectives for which the Fund was created,

Deeply concerned about the exceptional situation faced by many developing countries, in particular African countries, which are afflicted by drought, famine and malnutrition,

Concerned also about the special plight of the Palestine refugees and the financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Taking into account that developing countries, through the Caracas Programme of Action,<sup>177</sup> have taken it upon themselves to implement a series of actions in the field of economic and technical co-operation among developing countries, designed, *inter alia*, to help them face their criti-

<sup>171</sup> See *Proceedings of the United Nations Conference on Trade and Development, Sixth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6).

<sup>172</sup> A/38/132-S/15675 and Corr.1 and 2, annex, sect. III.

<sup>173</sup> *Proceedings of the United Nations Conference on Trade and Development, Sixth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), annex VI.

<sup>174</sup> See A/38/494 and Corr.1, annex.

<sup>175</sup> *Report of the United Nations Conference on the Least Developed Countries, Paris, 1-14 September 1981* (United Nations publication, Sales No. E.82.I.8), part one, sect. A.

<sup>176</sup> A/38/566.

<sup>177</sup> A/36/333 and Corr.1, annex.

cal development problems and attain their objectives, giving due regard to the special needs of the least developed among them.

1. *Decides* to liquidate the United Nations Emergency Operation Trust Fund and to allocate the remaining balance to existing funds and programmes of the United Nations as follows:

(a) Seventy per cent shall be channelled through United Nations Development Programme-administered funds to finance urgently needed projects, primarily in the food and agricultural sectors in countries afflicted by famine and malnutrition as a result, particularly, of severe or prolonged drought, with special emphasis on African countries;

(b) Eighteen per cent shall be channelled through the United Nations Relief and Works Agency for Palestine Refugees in the Near East, especially to its educational programme;

(c) Twelve per cent shall be channelled through the United Nations Development Programme for the purpose of economic and technical co-operation among developing countries; these funds shall be allocated to activities in economic and technical co-operation among developing countries of critical importance to developing countries, according to the priorities set by them;

2. *Requests* the Secretary-General to take the necessary action to ensure that the funds are allocated in accordance with the present resolution as soon as possible;

3. *Also requests* the Administrator of the United Nations Development Programme to report to the Governing Council at its thirty-first session on action taken to implement the present resolution;

4. *Further requests* the Secretary-General to monitor closely the implementation of the present resolution, to make available progress reports and to report fully to the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

### **38/202. Strengthening of the capacity of the United Nations system to respond to natural disasters and other disaster situations**

*The General Assembly,*

*Recalling* its resolutions 2816 (XXVI) of 14 December 1971, by which the Office of the United Nations Disaster Relief Co-ordinator was established, and 36/225 of 17 December 1981, by which it reaffirmed the mandate of the Office and, *inter alia*, called for the strengthening and improvement of its capacity and effectiveness,

*Recalling also* its resolution 37/144 of 17 December 1982, in which the Assembly recognized that, in order to attain an effective co-ordination system of humanitarian and disaster relief assistance, it was essential to strengthen and improve the capacity and effectiveness of the Office of the United Nations Disaster Relief Co-ordinator and of the United Nations system as a whole,

*Recalling further* Economic and Social Council resolution 1983/47 of 28 July 1983,

*Recognizing* that, as a result of those resolutions and other relevant resolutions and decisions, there is now in place a workable system to promote, facilitate and co-ordinate relief activities carried out by the United Nations

system, in co-operation with Governments and voluntary agencies.

*Noting* that the operation of that system has been much improved but that there remains a need for its full application.

*Noting further with appreciation* the effective response of the Office of the United Nations Disaster Relief Co-ordinator to recent major disasters,

*Recognizing* that shortage of resources has been a constraint on an effective response of the United Nations to disaster situations.

*Recognizing also* that the primary responsibility for administration, relief operations and disaster preparedness lies with the affected countries and that the major part of the material assistance and human effort in disaster relief comes from the Governments of those countries,

*Recognizing further* the importance of the contribution of the International Committee of the Red Cross, the League of Red Cross and Red Crescent Societies and appropriate voluntary organizations,

1. *Takes note with appreciation* of the comprehensive report of the Secretary-General on strengthening the capacity of the United Nations system to respond to natural disasters and other disaster situations,<sup>178</sup> as well as of his report on the work of the Office of the United Nations Disaster Relief Co-ordinator<sup>179</sup> and of the statement made by the Co-ordinator on 10 November 1983;<sup>180</sup>

2. *Notes with particular interest* the observations and conclusions of the Secretary-General relating to the transportation, more rapid delivery and distribution of relief supplies, reconstruction and rehabilitation and the need for more effective monitoring and evaluation procedures to assess the way in which the Office of the United Nations Disaster Relief Co-ordinator and the international community as a whole have dealt with the mobilization and provision of disaster relief in particular cases;

3. *Recognizes* the importance of disaster preparedness and prevention activities, and calls upon the Office of the United Nations Disaster Relief Co-ordinator, Governments and agencies involved to ensure that a high level of attention is given to them;

4. *Reaffirms* the sovereignty of individual Member States, recognizes the primary role of each State in caring for the victims of disasters occurring in its territory and stresses that all relief operations should be carried out and co-ordinated in a manner consistent with the priorities and needs of the countries concerned;

5. *Stresses* that the quality and appropriateness of material and other assistance provided by the international community should meet the particular needs of the populations of disaster-affected areas;

6. *Repeats its call* to all Governments and competent organs and organizations to co-operate with the Office of the United Nations Disaster Relief Co-ordinator and to improve, in particular, their flow of information on relief assistance, action, plans and needs;

7. *Requests* the Office of the United Nations Disaster Relief Co-ordinator to continue and improve further the flow of information to Governments, organizations and agencies concerned, so that a more complete picture of relief activities, assistance received and further requirements may be provided to all concerned;

8. *Stresses* the need for the continuance and further strengthening of relations between the Office of the United Nations Disaster Relief Co-ordinator and appropriate voluntary organizations working in the area of disaster relief.

<sup>178</sup> A/38/202-E/1983/94.

<sup>179</sup> A/38/201-E/1983/69 and Corr.1 and 2.

<sup>180</sup> *Official Records of the General Assembly, Thirty-eighth Session, Second Committee, 34th meeting, paras. 1-12.*

including the International Committee of the Red Cross and the League of Red Cross and Red Crescent Societies, and requests the Secretary-General to consider the establishment of a small consultative group composed of executives of these major relief organizations, in their individual capacity, to provide advice, upon request, to the United Nations Disaster Relief Co-ordinator in the assessment of relief needs and in the preparation and execution of concerted relief programmes;

9. *Authorizes* the Secretary-General to permit the Office of the United Nations Disaster Relief Co-ordinator to respond to requests for emergency disaster assistance up to a total of \$600,000 in any one year, with a normal ceiling of \$50,000 per country in the case of any one disaster, within existing resources as far as possible;

10. *Once again urgently calls upon* all States to respond positively and expeditiously to the Secretary-General's appeals for contributions to meet natural disasters and other disaster situations;

11. *Appeals* to Governments for urgent voluntary contributions, channelled through the Trust Fund of the Office of the United Nations Disaster Relief Co-ordinator, to enable the Office to cover, *inter alia*, unforeseen expenses in connection with disaster relief operations;

12. *Requests* the Secretary-General, in consultation with the Governments of both donor and recipient countries, as well as with appropriate agencies, to submit to the General Assembly at its thirty-ninth session, through the Economic and Social Council at its second regular session of 1984, specific proposals to follow up the conclusions and problems identified in his comprehensive report, as well as in the present resolution.

104th plenary meeting  
20 December 1983

### 38/203. Assistance to Ghana

*The General Assembly,*

*Recalling* Economic and Social Council resolution 1983/44 of 28 July 1983, in which the Council expressed its deep concern at the adverse economic conditions in Ghana, exacerbated by the sudden repatriation early in 1983 of over one million Ghanaians,

*Having heard* the statement made by the Secretary for Foreign Affairs of Ghana on 11 October 1983,<sup>181</sup> in which he expressed appreciation for the humanitarian assistance rendered by Governments, the United Nations system and other organizations during the difficult period of the influx of returnees and his appreciation of the action taken by the Secretary-General, and described his country's serious economic and financial situation,

*Having considered* the report of the Secretary-General,<sup>182</sup> to which is annexed the report of the multi-agency mission which he dispatched to Ghana in May 1983,

*Noting* from the report the serious economic and financial problems that confront Ghana and the efforts made by the Government, and people of Ghana to cope with these problems and to rehabilitate returnees,

*Taking note* of the recommended programme of assistance to Ghana, drawn up by the mission in consultation with the Government, concerning short-term emergency-related and medium-term recovery-related assistance,<sup>183</sup>

*Affirming* the urgent need for international action to assist the Government and the people of Ghana in their

efforts towards economic recovery and rehabilitation of returnees.

1. *Takes note* of the efforts made by the Government and people of Ghana to rehabilitate returnees;

2. *Expresses its appreciation* to the Secretary-General for his prompt action and for the report of the multi-agency mission on the economic situation of Ghana and the additional assistance required by that country to cope with the problems exacerbated by the influx of returnees;

3. *Expresses its gratitude* to all States and organizations that have provided emergency humanitarian assistance to Ghana;

4. *Endorses* the assessment and recommendations of the multi-agency mission annexed to the report of the Secretary-General pertaining to assistance to Ghana;<sup>182</sup>

5. *Urgently reiterates the appeal* made by the Economic and Social Council, in its resolution 1983/44, to all States, intergovernmental and non-governmental organizations and the specialized agencies and programmes of the United Nations system to support fully the efforts of the Government of Ghana to mobilize funds for its special economic assistance programme and respond generously to the short-term and medium-term programmes drawn up by the multi-agency mission in consultation with the Government of Ghana;

6. *Requests* the appropriate organizations and programmes of the United Nations system—in particular the United Nations Development Programme, the World Bank, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Food Programme, the World Health Organization, the United Nations Children's Fund and the United Nations Industrial Development Organization—to maintain and expand their programmes of assistance to Ghana, to co-operate closely with the Secretary-General in his efforts to organize an effective international programme of assistance and to report periodically to him on the steps they have taken and the resources they have made available to help that country;

7. *Calls upon* regional and interregional organizations and other intergovernmental bodies and non-governmental organizations, as well as international financial institutions, to give urgent consideration to the establishment of a programme of assistance to Ghana or, where one is already in existence, to the expansion of that programme;

8. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of international assistance to Ghana;

(b) To keep the situation regarding assistance to Ghana under constant review, to maintain close contact with Member States, regional and other intergovernmental organizations, the specialized agencies and international financial institutions concerned, and to apprise the Economic and Social Council, at its second regular sessions of 1984 and 1985, of the current status of the special economic assistance programme for Ghana, including contributions to the United Nations Trust Fund for Special Economic Assistance Programmes, in accordance with Council resolution 1983/44;

(c) To report on the progress made in the economic situation of Ghana and in organizing and implementing the programme of assistance for that country, in time for the

<sup>181</sup> *Ibid.*, Plenary Meetings, 28th meeting, paras. 67-104

<sup>182</sup> A/38/215.

<sup>183</sup> *Ibid.*, annex, sect. V

matter to be considered by the General Assembly at its fortieth session.

104th plenary meeting  
20 December 1983

### 38/204. Assistance to Yemen

*The General Assembly,*

Recalling its resolution 37/166 of 17 December 1982 and resolution 150 (VI) of 2 July 1983 of the United Nations Conference on Trade and Development,<sup>184</sup>

Fully aware of the grave devastation and substantial loss of life and property caused by the earthquake that struck large areas of Yemen on 12 December 1982,

Concerned about the damage caused to infrastructure, which has a far-reaching effect on the implementation of the national development plan in that country,

Taking cognizance of the fact that the cost of the reconstruction of the affected areas is estimated at approximately \$622 million,

Recognizing that Yemen, as one of the least developed countries, is unable to bear the mounting burden of the relief efforts and the reconstruction of the affected areas,

Recognizing also the efforts being made by the Government of Yemen to alleviate the effects of the earthquake,

1. Appeals to the developed countries and to those developing countries that are in a position to do so to contribute generously to the relief efforts and the reconstruction of the affected areas through financial contributions and the provision of the construction materials and equipment necessary to restore infrastructure and basic services in the affected areas;

2. Requests the appropriate organizations and programmes of the United Nations system to maintain and expand their programmes of assistance to Yemen;

3. Expresses its gratitude to the States, the international and regional organizations and the non-governmental organizations that have participated in the ongoing efforts undertaken for the reconstruction of the affected areas in Yemen;

4. Requests the Secretary-General to apprise the Economic and Social Council, at its second regular session of 1984, of the progress made in the implementation of the present resolution and to report thereon to the General Assembly at its thirty-ninth session.

104th plenary meeting  
20 December 1983

### 38/205. Assistance for the development of Sierra Leone

*The General Assembly,*

Having heard the statement made by the Head of State of Sierra Leone before the General Assembly on 30 September 1983,<sup>185</sup> in which he called for support from the international community for the economic and social development of Sierra Leone,

Recalling its resolution 37/158 of 17 December 1982, in which it appealed to all States, the specialized agencies and international development and financial institutions to

provide all possible assistance for the development of Sierra Leone,

Further recalling its resolution 37/133 of 17 December 1982, in which it decided to include Sierra Leone in the list of the least developed countries,

Reiterating that the weak growth rate experienced by the economy of Sierra Leone during the period of the first National Development Plan (1973/74 to 1978/79) and the decline in real terms of per capita gross domestic product during that period have continued to persist,

Having considered the report of the Secretary-General,<sup>186</sup> to which was annexed the report of the multi-agency mission he dispatched to Sierra Leone in March 1983 to consult with the Government on the additional assistance required for the economic and social development of Sierra Leone,

Aware of the need for effective mobilization of international assistance in order to implement fully the programme of assistance outlined in the report of the multi-agency mission,

Noting the intention of the Government of Sierra Leone to organize, with the assistance of the United Nations Development Programme, a round-table conference of donors in 1984 to discuss the country's development needs and to consider ways and means of supplementing the development efforts of the Government,

1. Expresses its appreciation to the Secretary-General for his reports on the economic situation of Sierra Leone and the assistance required by that country for its economic and social development;

2. Endorses the assessment and recommendations of the multi-agency mission contained in the annex to the report of the Secretary-General pertaining to assistance for the development of Sierra Leone;<sup>186</sup>

3. Urgently reiterates its appeal to the international community, including organs, organizations and bodies of the United Nations, to contribute generously, through bilateral or multilateral channels, to the economic and social development of Sierra Leone;

4. Urges all States and relevant United Nations bodies—in particular the United Nations Development Programme, the World Food Programme, the United Nations Industrial Development Organization, the United Nations Children's Fund, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the United Nations Fund for Population Activities—to provide all possible assistance to help the Government of Sierra Leone meet the critical humanitarian needs of the population and to provide, as appropriate, food, medicines and essential equipment for hospitals and schools;

5. Invites the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations, the World Bank, the African Development Bank and the International Fund for Agricultural Development to bring to the attention of their governing bodies, for their consideration, the special needs of Sierra Leone and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

6. Requests the Administrator of the United Nations Development Programme and the World Bank to provide

<sup>184</sup> See *Proceedings of the United Nations Conference on Trade and Development, Sixth Session, vol. I, Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

<sup>185</sup> *Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings, 13th meeting, paras. 52-71.*

<sup>186</sup> A/38.211.

all possible assistance to the Government of Sierra Leone in organizing the proposed round-table conference of donors;

7. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Sierra Leone;

(b) To ensure that adequate financial arrangements are made for the organization of an effective international programme of assistance to Sierra Leone and for the mobilization of international assistance;

(c) To apprise the Economic and Social Council, at its second regular session of 1984, of the assistance granted to Sierra Leone;

(d) To keep the situation regarding assistance to Sierra Leone under review and to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

104th plenary meeting  
20 December 1983

### 38/206. Assistance to Democratic Yemen

*The General Assembly.*

*Recalling* Economic and Social Council resolutions 1982/6 of 28 April 1982 and 1982/59 of 30 July 1982 concerning the extensive devastation caused by the heavy floods in Democratic Yemen,

*Recalling also* resolution 107 (IX) of 11 May 1982 of the Economic Commission for Western Asia,<sup>187</sup> in which the Commission called for the urgent establishment of a programme for the rehabilitation and reconstruction of the flood-stricken areas of Democratic Yemen,

*Having considered* the report prepared by the Office of the United Nations Disaster Relief Co-ordinator on the extent and nature of the damage caused by the floods,<sup>188</sup>

*Taking note* of the report of the Secretary-General on assistance to Democratic Yemen,<sup>189</sup>

*Recognizing* that Democratic Yemen, as one of the least developed countries, is unable to bear the mounting burden of rehabilitation and reconstruction of the affected areas,

*Recognizing also* the efforts made by Democratic Yemen to alleviate the suffering of the victims of the floods,

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken regarding assistance to Democratic Yemen;

2. *Expresses its gratitude* to those States and international, regional and intergovernmental organizations that have provided assistance to Democratic Yemen;

3. *Requests* the Secretary-General to continue to mobilize the necessary resources for an effective, comprehensive programme of financial, technical and material assistance to Democratic Yemen in order to help mitigate the damage inflicted on it and implement its rehabilitation and reconstruction plans;

4. *Appeals* to Member States to contribute generously through bilateral or multilateral channels to the reconstruction and development process in Democratic Yemen;

5. *Requests* the appropriate organizations and programmes of the United Nations system—in particular

the United Nations Development Programme, the World Bank, the World Food Programme, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Health Organization, the United Nations Fund for Population Activities, the United Nations Children's Fund and the United Nations Industrial Development Organization—to maintain and expand their programmes of assistance to Democratic Yemen and to co-operate closely with the Secretary-General in organizing an effective programme of assistance to that country;

6. *Calls upon* regional and interregional organizations and other intergovernmental and non-governmental organizations to continue their assistance to the development requirements of Democratic Yemen;

7. *Requests* the Secretary-General to keep the situation in Democratic Yemen under review and to report to the General Assembly at its thirty-ninth session on the progress made on the implementation of the present resolution.

104th plenary meeting  
20 December 1983

### 38/207. Assistance to Uganda<sup>190</sup>

*The General Assembly.*

*Recalling* its resolutions 35/103 of 5 December 1980, 36/218 of 17 December 1981 and 37/162 of 17 December 1982 on assistance to Uganda,

*Bearing in mind* the enormous economic and social setbacks suffered by Uganda and the resultant precipitous decline in the well-being of its people,

*Taking into account* the Recovery Programme (1982-1984) presented by the Government of Uganda to the meeting of the Consultative Group on Uganda, held in Paris in May 1982 under the auspices of the World Bank,

*Recognizing* that Uganda is not only land-locked but also one of the least developed and most seriously affected countries,

*Noting* the appeals of the Secretary-General for assistance to Uganda,

*Taking note* of the report of the Secretary-General,<sup>191</sup> submitted in response to General Assembly resolution 36/218, to which was annexed the report on Uganda's needs for assistance,

*Taking note also* of the summary report of the Secretary-General,<sup>192</sup> in which it is stated that substantial additional assistance is required to finance the remaining projects in the Investment Programme which have not yet attracted the support of the international community,

*Reaffirming* the urgent need for further international action to assist the Government of Uganda in its continuing efforts for national reconstruction, rehabilitation and development,

*Encouraged* that the economic policies of the Government of Uganda and the support assistance provided by the donor countries and international organizations have produced positive signs of economic recovery,

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to mobilize assistance for Uganda;

<sup>187</sup> See *Official Records of the Economic and Social Council, 1982, Supplement No. 12 (E/1982/22)*, chap. I.

<sup>188</sup> See E/ECWA/156.

<sup>189</sup> A/38/212.

<sup>190</sup> See also resolution 38/216 below.

<sup>191</sup> A/37/121.

<sup>192</sup> A/38/216, sect. XIV.

2. *Further expresses its appreciation* to those States and organizations which have provided assistance to that country;

3. *Reaffirms fully its endorsement* of the assessment and recommendations contained in the annex to the report of the Secretary-General;<sup>191</sup>

4. *Requests* the Secretary-General to ensure that adequate financial and budgetary arrangements are made for the continued mobilization of resources to finance the international programme of assistance to Uganda;

5. *Invites* the international community, in particular the United Nations system and donor countries and organizations, to make available more resources to implement the country's Recovery Programme (1982-1984) and meet the remaining needs described in the annex to the report of the Secretary-General and in his summary report;

6. *Urgently renews its appeal* to all Member States, specialized agencies and other organizations of the United Nations system and international economic and financial institutions to contribute generously, through bilateral and multilateral channels, to the reconstruction, rehabilitation and development needs of Uganda and to its emergency requirements;

7. *Invites* Member States to participate fully in and support effectively the meeting of the World Bank Consultative Group on Uganda, to be held in Paris early in 1984;

8. *Requests* the appropriate organizations and programmes of the United Nations system to maintain and increase their current and future programmes of assistance to Uganda and to report periodically to the Secretary-General on the steps they have taken and the resources they have made available to help that country;

9. *Invites* the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the United Nations Children's Fund, the United Nations Development Programme, the World Food Programme, the International Fund for Agricultural Development, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the World Bank to bring to the attention of their governing bodies, for their consideration, the special needs of Uganda and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

10. *Requests* the United Nations High Commissioner for Refugees to continue his humanitarian assistance programmes in Uganda;

11. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Uganda;

(b) To keep the situation in Uganda under constant review, to maintain close contact with Member States, the specialized agencies, regional and other intergovernmental organizations and the international financial institutions concerned, and to apprise the Economic and Social Council, at its second regular session of 1984, of the current status of the special programme of economic assistance for Uganda;

(c) To report on the progress made in the economic situation in Uganda and in organizing international assist-

ance for that country in time for the matter to be considered by the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

### 38/208. Assistance to Mozambique

*The General Assembly:*

*Recalling* Security Council resolution 386 (1976) of 17 March 1976, in which the Council appealed to all States to provide, and requested the Secretary-General, in collaboration with the appropriate organizations of the United Nations system, to organize, with immediate effect, financial, technical and material assistance to enable Mozambique to carry out its economic development programme,

*Recalling further* its resolutions 31/43 of 1 December 1976, 32/95 of 13 December 1977, 33/126 of 19 December 1978, 34/129 of 14 December 1979, 35/99 of 5 December 1980, 36/215 of 17 December 1981 and 37/161 of 17 December 1982, in which it urged the international community to respond effectively and generously with assistance to Mozambique,

*Having considered* the reports of the Secretary-General on assistance to Mozambique<sup>193</sup> and noting with concern that the economic and financial position of that country remains grave and beset by budgetary and balance-of-payments deficits,

*Noting with deep concern* the loss of life and the destruction of essential infrastructures such as roads, railways, bridges, petroleum facilities, electricity supply, schools and hospitals, as identified in the reports of the Secretary-General,

*Recognizing* that the food deficit of over 300,000 tonnes in 1982 has been further exacerbated by continued drought, poor rainfall, severe crop infestation and epidemics of animal diseases, as well as by chronic shortages of production inputs,

*Bearing in mind* the international appeal, launched by the Government and supported by the Office of the United Nations Disaster Relief Co-ordinator, for urgent food aid for central and southern Mozambique,

*Recognizing* that substantial international assistance is required for the implementation of a number of reconstruction and development projects,

1. *Strongly endorses* the appeals made by the Security Council and the Secretary-General for international assistance to Mozambique;

2. *Also endorses* the appeals made by the Government and supported by the Office of the United Nations Disaster Relief Co-ordinator for urgent food aid for central and southern Mozambique;

3. *Expresses its appreciation* to the Secretary-General for the measures he has taken to organize an international economic assistance programme for Mozambique;

4. *Also expresses its appreciation* for the assistance provided to Mozambique by various States and regional and international organizations and humanitarian institutions;

5. *Regrets*, however, that the total assistance provided to date falls far short of Mozambique's pressing needs;

6. *Draws the attention* of the international community to the additional financial, economic and material assistance identified in the reports of the Secretary-General<sup>193</sup> as urgently required by Mozambique;

<sup>193</sup> *Ibid.*, sect. XIII, A/38.201-E/1983.69 and Corr.1 and 2, annex I, sect. E.

7. *Calls upon* Member States, regional and inter-regional organizations and other governmental, intergovernmental and non-governmental organizations to provide financial, material and technical assistance to Mozambique, wherever possible in the form of grants, and urges them to give special consideration to the early inclusion of Mozambique in their programmes of development assistance, if it is not already included;

8. *Urges* Member States and organizations that are already implementing or negotiating assistance programmes for Mozambique to strengthen them, wherever possible;

9. *Appeals* to the international community to provide financial and material assistance to Mozambique to meet its food and other relief requirements arising out of the continued drought;

10. *Also appeals* to the international community to contribute to the special account for Mozambique established by the Secretary-General for the purpose of facilitating the channelling of contributions to Mozambique;

11. *Requests* the appropriate organizations and programmes of the United Nations system—in particular the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Food Programme, the World Health Organization and the United Nations Children's Fund—to maintain and increase their current and future programmes of assistance to Mozambique, to co-operate closely with the Secretary-General in organizing an effective international programme of assistance and to report periodically to him on the steps they have taken and the resources they have made available to help that country;

12. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Mozambique;

(b) To keep the situation in Mozambique under constant review, to maintain close contact with Member States, the specialized agencies, regional and other inter-governmental organizations and international financial institutions and other bodies concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the current status of the special programme of economic assistance for Mozambique;

(c) To prepare, on the basis of sustained consultations with the Government of Mozambique, a report on the development of the economic situation and the implementation of the special programme of economic assistance for that country in time for the matter to be considered by the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

### 38/209. Assistance to the Comoros

*The General Assembly,*

*Recalling* its resolution 37/154 of 17 December 1982 and its previous resolutions on assistance to the Comoros, in which it *appealed* to the international community to provide effective and continuous financial, material and technical assistance to the Comoros in order to help that country overcome its financial and economic difficulties,

*Taking note* of the special problems confronting the Comoros as a developing island country and as one of the least developed countries,

*Noting* that the Government of the Comoros has given priority to the questions of infrastructure, transport and telecommunications,

*Noting also* the economic difficulties arising from the country's scarcity of natural resources, compounded by the recent drought and cyclones,

*Noting further* the grave budgetary and balance-of-payments problems facing the Comoros,

*Aware* of the intention of the Government of the Comoros to convene a donors' conference at the end of the first quarter of 1984,

*Having examined* the summary report of the Secretary-General,<sup>194</sup>

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to mobilize assistance for the Comoros;

2. *Notes with satisfaction* the response by various Member States, organizations of the United Nations system and other organizations to its appeals and those of the Secretary-General for assistance to the Comoros;

3. *Notes with concern*, however, that the assistance thus far provided continues to fall short of the country's urgent requirements and that assistance is still urgently required to carry out the projects identified in the annex to the report of the Secretary-General;<sup>195</sup>

4. *Appeals* to those States and organizations invited to the donors' conference to be held in the Comoros early in 1984 to contribute generously to the programme of assistance that will be presented by the Government of the Comoros at that time;

5. *Renews its appeal* to Member States, the appropriate organs, programmes and organizations of the United Nations system, regional and international organizations and other intergovernmental and non-governmental organizations, as well as international financial institutions, to provide the Comoros with assistance to enable it to cope with its difficult economic situation and pursue its development goals;

6. *Requests* the appropriate programmes and organizations of the United Nations system to increase their current programmes of assistance to the Comoros, to co-operate closely with the Secretary-General in organizing an effective international programme of assistance and to report periodically to him on the steps they have taken and the resources they have made available to help that country;

7. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to the Comoros;

(b) To keep the situation in the Comoros under constant review, to maintain close contact with Member States, the specialized agencies, regional and other inter-governmental organizations and international financial institutions concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the current status of the special programme of economic assistance for the Comoros;

(c) To report on the progress made in the economic situation of the Comoros and in organizing and implementing the special programme of economic assistance for that

<sup>194</sup> A/38/216, sect. VII.

<sup>195</sup> A/37/128.



country in time for the matter to be considered by the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

### 38/210. Special economic assistance to Benin

*The General Assembly,*

Recalling its resolutions 35/88 of 5 December 1980, 36/208 of 17 December 1981 and 37/151 of 17 December 1982, in which it appealed to the international community to provide effective and continuous financial, material and technical assistance to Benin so as to help that country overcome its financial and economic difficulties,

Recalling also Security Council resolution 419 (1977) of 24 November 1977, in which the Council appealed to all States and all appropriate international organizations, including the United Nations and the specialized agencies, to assist Benin,

Having heard the statement made by the representative of Benin on 10 November 1983<sup>196</sup> describing his country's serious economic and financial situation and the measures adopted by his Government to address those difficulties,

Having considered the summary report of the Secretary-General,<sup>197</sup>

Noting from that report that, despite a variety of adverse factors, Benin continues to make some progress in its development efforts as a result of the measures adopted by the Government and the assistance provided by the international community,

Deeply concerned, however, by the fact that Benin continues to experience serious economic and financial difficulties, characterized by a severe balance-of-payments disequilibrium, heavy burdens of external debt and a lack of resources to implement its planned economic and social development programme,

Noting also that continued unfavourable climatic conditions in the coastal and northern areas of Benin have entailed losses in agricultural and livestock production,

Having noted the efforts of the Government of Benin to mobilize international support for the country's development plan through the organization of a round-table conference held at Cotonou in March 1983 with the assistance of the United Nations Development Programme,

Bearing in mind that Benin is classified as one of the least developed countries,

1. Expresses its appreciation to the Secretary-General for the measures he has taken to organize and mobilize support for the international programme of economic assistance for Benin;

2. Reiterates its endorsement of the assessment and recommendations of the review mission dispatched to Benin in July 1982, contained in the annex to the report of the Secretary-General;<sup>198</sup>

3. Notes with satisfaction the interest and support for the development plan of Benin expressed by the participants in the round-table conference;

4. Appeals to Member States, international financial institutions, the specialized agencies and other organizations of the United Nations system to respond generously and urgently to the needs of Benin, as set out in the country's development plan for 1983-1987;

5. Expresses its appreciation for the assistance already given or pledged to Benin by Member States, organizations of the United Nations system and regional, interregional and intergovernmental organizations;

6. Notes with appreciation the measures that are being taken by the Government of Benin to strengthen the country's economy through financial and administrative reforms;

7. Reiterates the appeal it has addressed to all Member States to provide substantial and appropriate assistance bilaterally and multilaterally, if possible in the form of grants-in-aid or loans granted on favourable terms, in order to enable Benin to carry out fully the recommended special programme of economic assistance;

8. Requests the appropriate bodies and programmes of the United Nations—in particular the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the United Nations Children's Fund—to maintain and expand their programmes of assistance to Benin, to co-operate closely with the Secretary-General in organizing an effective international programme of assistance and to report periodically to him on the measures they have taken and the resources they have made available to help that country;

9. Requests the Food and Agriculture Organization of the United Nations, the World Food Programme, the International Fund for Agricultural Development, the United Nations Children's Fund and the World Health Organization to provide all possible assistance to help the Government of Benin to meet the critical humanitarian needs of the population through the provision of food aid, medicines and equipment for areas affected by drought;

10. Invites the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the Food and Agriculture Organization of the United Nations, the World Bank and the International Fund for Agricultural Development to bring to the attention of their governing bodies, for their consideration, the special needs of Benin and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

11. Requests the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Benin;

(b) To ensure that the necessary financial and budgetary arrangements are made to continue the organization of the international programme of assistance to Benin and the mobilization of that assistance;

(c) To keep the situation in Benin under constant review, to maintain close contact with Member States, the specialized agencies, regional and other intergovernmental organizations and the international financial institutions concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the status of the special programme of economic assistance for Benin;

(d) To arrange for a review of the economic situation in Benin and the status of the special programme of economic assistance and to report thereon to the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

<sup>196</sup> Official Records of the General Assembly, Thirty-eighth Session, Second Committee, 35th meeting, paras. 52-54.

<sup>197</sup> A/38/216, sect. III.

<sup>198</sup> A/37/134 and Corr.1.

### 38/211. Assistance for the reconstruction, rehabilitation and development of the Central African Republic

*The General Assembly.*

Recalling its resolutions 35/87 of 5 December 1980, 36/206 of 17 December 1981 and 37/145 of 17 December 1982, in which it affirmed the urgent need for international action to assist the Government of the Central African Republic in its reconstruction, rehabilitation and development efforts and invited the international community to provide sufficient resources to carry out the programme of assistance to the Central African Republic.

Noting the statement made by the Minister for Foreign Affairs and International Co-operation of the Central African Republic on 10 October 1983,<sup>199</sup> in which he described the serious economic and financial problems of the country and observed that the situation had not improved, owing to the insufficiency of financial resources, and that external assistance continued to be essential,

Noting also the statement made by the representative of the Central African Republic on 10 November 1983,<sup>200</sup> according to which the response of the international community to the urgent appeal of the General Assembly had not been adequate to meet the needs of the situation,

Bearing in mind that the Central African Republic is land-locked and is classified as one of the least developed countries,

Recalling the Substantial New Programme of Action for the 1980s for the Least Developed Countries,<sup>201</sup> which called for increased aid to these countries,

Particularly concerned that the Government of the Central African Republic is unable to provide the population with adequate health, educational and other essential social and public services because of an acute shortage of financial and material resources,

Taking account of the fact that the economic and social situation in the Central African Republic has been further aggravated by an unprecedented drought and a sharp and considerable decrease in export earnings,

Noting with satisfaction the considerable efforts exerted by the Government and people of the Central African Republic for national reconstruction, rehabilitation and development, despite the limitations confronting them,

Having examined the report of the Secretary-General,<sup>202</sup> to which is annexed the report of the mission dispatched to the Central African Republic in June 1982 to carry out a study of the economic situation and the progress being made in organizing and carrying out the special programme of economic assistance for that country, in accordance with General Assembly resolution 36/206,

Having also examined the summary report of the Secretary-General,<sup>203</sup>

Noting that, according to those reports, the budgetary situation of the Central African Republic continues to make it impossible for the Government to undertake a programme of reconstruction, rehabilitation and development, owing to inadequate external financial assistance,

1. Expresses its gratification to the Secretary-General for the efforts he has made to mobilize resources for carrying out the programme of assistance to the Central African Republic;

2. Expresses its appreciation to the States, the international, regional and interregional organizations and other intergovernmental organizations for their contribution to the programme of assistance to the Central African Republic;

3. Notes with concern, however, that the assistance provided under this heading continues to fall far short of the country's urgent needs;

4. Urgently draws the attention of the international community to table 6 of the annex to the Secretary-General's report,<sup>202</sup> which indicates the projects for which financing is partially assured and those for which no financing has been forthcoming;

5. Reiterates its appeal to all States to contribute generously, through bilateral or multilateral channels, to the reconstruction, rehabilitation and development of the Central African Republic;

6. Requests the appropriate organizations and programmes of the United Nations system—in particular the United Nations Development Programme, the World Bank, the International Monetary Fund, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Food Programme, the World Health Organization, the United Nations Children's Fund and the United Nations Industrial Development Organization—to maintain their programmes of assistance to the Central African Republic, to co-operate closely with the Secretary-General in his efforts to organize an effective international programme of assistance and to report periodically to him on the steps they have taken and the resources they have made available to help that country;

7. Calls upon regional and interregional organizations and other intergovernmental and non-governmental organizations—in particular the European Economic Community, the European Development Fund, the African Development Bank, the Arab Bank for Economic Development in Africa, the Organization of Petroleum Exporting Countries' Fund for International Development, the International Fund for Agricultural Development, the Kuwaiti Fund and the Abu Dhabi Fund—to give urgent consideration to the establishment of a programme of assistance to the Central African Republic or, where one is already in existence, to the expansion and considerable strengthening of that programme with a view to its implementation as soon as possible;

8. Urges all States and relevant United Nations bodies—in particular the United Nations Development Programme, the World Food Programme, the United Nations Children's Fund, the World Health Organization, the United Nations Fund for Population Activities and the United Nations Industrial Development Organization—to provide all possible assistance to help the Government of the Central African Republic to cope with the critical humanitarian needs of the population and to provide, as appropriate, food, medicines and essential equipment for schools and hospitals, as well as to meet the emergency needs of the population in the drought-stricken areas of the country;

9. Invites the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations,

<sup>199</sup> Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings, 26th meeting, paras. 223–270.

<sup>200</sup> Ibid., Second Committee, 34th meeting, paras. 13–17.

<sup>201</sup> Report of the United Nations Conference on the Least Developed Countries, Paris, 1–14 September 1981 (United Nations publication, Sales No. E.82.I.8), part one, sect. A.

<sup>202</sup> A/37/131.

<sup>203</sup> A/38/216, sect. VI.

the World Bank and the International Fund for Agricultural Development to bring to the attention of their governing bodies, for their consideration, the special needs of the Central African Republic and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

10. *Again draws the attention* of the international community to the special account opened by the Secretary-General at United Nations Headquarters, in accordance with General Assembly resolution 35/87, for the purpose of facilitating the channelling of contributions to the Central African Republic;

11. *Requests* the Secretary-General:

(a) To continue his efforts to organize a special emergency assistance programme with regard to food and health, especially medicaments, vaccines, hospital equipment, generating sets for field hospitals, water pumps and food products in order to help the vulnerable populations, whose steadily deteriorating situation is becoming a matter of increasingly serious concern;

(b) To continue also his efforts to mobilize necessary resources for an effective programme of financial, technical and material assistance to the Central African Republic;

(c) To ensure that the necessary financial and budgetary arrangements are made to continue the organization of the international programme of assistance to the Central African Republic and the mobilization of that assistance;

(d) To keep the situation in the Central African Republic under constant review, to maintain close contact with Member States, the specialized agencies, regional and other intergovernmental organizations, and the international financial institutions concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the status of the special programme of economic assistance for the Central African Republic;

(e) To report on the progress made in the economic situation of the Central African Republic and in organizing and implementing the special programme of economic assistance for that country in time for the matter to be considered by the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

### 38/212. Assistance to the Gambia

*The General Assembly,*

*Recalling* its resolution 37/159 of 17 December 1982, in which it, *inter alia*, noted that the Gambia is a least developed country with acute economic and social problems arising from its weak economic infrastructure and that it also suffers from many of the serious problems common to countries of the Sahelian region, notably drought,

*Having heard* the statement made by the representative of the Gambia on 11 November 1983<sup>204</sup> describing her country's serious economic and financial situation and the measures adopted by her Government to deal with these difficulties,

*Having considered* the summary report of the Secretary-General,<sup>205</sup> in which the recent economic situation in the Gambia is described,

*Concerned* that the Gambia continues to encounter serious balance-of-payments and budgetary problems and noting that the lack of domestic resources is the most important constraint on development, since the Govern-

ment lacks the funds to meet the counterpart costs of donor-assisted projects.

*Noting* that external assistance is still required to enable the Government of the Gambia to implement the six projects recommended by the Secretary-General in his report,<sup>206</sup>

*Aware* of the intention of the Government of the Gambia to organize, with the assistance of the United Nations Development Programme, a round-table conference of donors in November 1984 to discuss the country's development needs and to consider ways and means of helping the Government in its efforts to meet those needs,

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to mobilize assistance for the Gambia;

2. *Expresses its appreciation also* to those States and organizations that have provided assistance to the Gambia;

3. *Draws the attention* of the international community to the need for assistance for the projects and programmes identified by the Secretary-General in his reports;

4. *Renews its urgent appeal* to Member States, specialized agencies and other organizations of the United Nations system, regional and interregional organizations and other intergovernmental and non-governmental organizations, as well as international development and financial institutions, to give generous assistance to the Gambia, through bilateral or multilateral channels, and to provide financial, technical and material assistance for the implementation of the projects and programmes recommended by the Secretary-General in his reports;

5. *Urges* donors, as appropriate, to provide financial assistance to the Gambia to help meet the local counterpart costs of externally-assisted projects, bearing in mind that the Gambia is classified as a least developed country;

6. *Urges* Member States, organizations and programmes of the United Nations system, regional and interregional bodies, financial and development institutions and intergovernmental and non-governmental organizations to respond generously to the needs of the Gambia at the round-table conference to be held in November 1984;

7. *Requests* the appropriate organizations and programmes of the United Nations system—in particular the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations and the International Fund for Agricultural Development—to increase their current and future programmes of assistance to the Gambia, to co-operate closely with the Secretary-General in organizing an effective international programme of assistance and to report periodically to him on the steps they have taken and the resources they have made available to assist that country;

8. *Invites* the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations, the World Bank and the International Fund for Agricultural Development to bring to the attention of their governing bodies, for their consideration, the special needs of the Gambia and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

<sup>204</sup> Official Records of the General Assembly, Thirty-eighth Session, Second Committee, 36th meeting, paras. 5-7.

<sup>205</sup> A/38/216, sect. IX.

<sup>206</sup> See A/37/138, annex, sect. IV; A/37/138/Add.1, annex.

9. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to the Gambia;

(b) To keep the situation in the Gambia under constant review, to maintain close contact with Member States, the specialized agencies, regional and other intergovernmental organizations and the international financial institutions concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the status of the special programme of economic assistance for the Gambia;

(c) To report on the progress made in the economic situation of the Gambia and in organizing and implementing the special programme of economic assistance for that country in time for the matter to be considered by the General Assembly at its thirty-ninth session.

104th plenary meeting  
20 December 1983

### 38/213. Assistance to Djibouti<sup>207</sup>

*The General Assembly,*

*Recalling* its resolution 37/153 of 17 December 1982 and its previous resolutions on assistance to Djibouti, in which it drew the attention of the international community to the critical economic situation confronting Djibouti and to the country's urgent need for assistance,

*Recalling also* its resolution 37/176 of 17 December 1982, in which it called upon the international community to continue to support the efforts made by the Government of Djibouti to cope with the needs of the refugee population,

*Recalling further* its resolution 36/221 of 17 December 1981, in which it appealed to the international community to contribute generously towards the projects and programmes to help the drought-affected populations,

*Having in mind* its resolution 37/133 of 17 December 1982, in which it decided to include Djibouti in the list of the least developed countries,

*Having examined* the summary report of the Secretary-General,<sup>208</sup>

*Noting* the critical economic situation of Djibouti and the list of urgent and priority projects, formulated by the Government, that require international assistance,

*Noting also* that the Government of Djibouti convened a donors' conference from 21 to 23 November 1983 in order to seek international support for the country's economic and social development,

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to organize an international programme of economic assistance for Djibouti;

2. *Notes with appreciation* the assistance already provided or pledged to Djibouti by Member States, organizations of the United Nations system and other organizations;

3. *Again draws the attention* of the international community to the difficult economic situation confronting Djibouti and to the severe structural constraints to its development;

4. *Renews its appeal* to Member States, the appropriate organs, organizations and programmes of the United Nations system, regional and international organizations and other intergovernmental and non-governmental

organizations, as well as international financial institutions, to provide assistance bilaterally and multilaterally, as appropriate, to Djibouti in order to enable it to cope with its difficult economic situation and to implement its development strategies;

5. *Requests* the appropriate specialized agencies and other organizations of the United Nations system to maintain and increase their current and future programmes of assistance to Djibouti, to co-operate closely with the Secretary-General in organizing an effective international programme of assistance and to report periodically to him on the steps they have taken and the resources they have made available to help that country;

6. *Expresses its appreciation* to those States and organizations which participated in the donors' conference, held in Djibouti from 21 to 23 November 1983, and urges them to respond generously to the programme of assistance that was presented by the Government of Djibouti at that time;

7. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Djibouti;

(b) To continue to ensure that adequate financial and budgetary arrangements are made to mobilize resources and to co-ordinate international assistance to Djibouti;

(c) To keep the situation in Djibouti under constant review, to maintain close contact with Member States, the specialized agencies, regional and other intergovernmental organizations and the international financial institutions concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the current status of the special programme of economic assistance for Djibouti;

(d) To report on the progress made in the economic situation of Djibouti and in organizing and implementing the special programme of economic assistance for that country in time for the matter to be considered by the General Assembly at its thirty-ninth session.

104th plenary meeting  
20 December 1983

### 38/214. Special economic assistance to Chad

*The General Assembly,*

*Recalling* its resolution 37/155 of 17 December 1982 and its previous resolutions on the reconstruction, rehabilitation and development of Chad, emergency humanitarian assistance to Chad and special economic assistance to that country,

*Having considered* the reports of the Secretary-General on special economic assistance to Chad, relating, *inter alia*, to the economic and financial situation of Chad, the status of assistance provided for the rehabilitation and reconstruction of the country and the progress made in organizing and executing the special programme of economic assistance for that country,<sup>209</sup>

*Noting* that the stability of the situation in Chad enabled the Secretary-General to organize an International Conference on Assistance to Chad, in November 1982 at Geneva, in close co-operation with the Government of Chad,

*Aware* that the resumption of fighting in Chad has prevented the States and agencies that participated in the

<sup>207</sup> See also resolution 38/216 below and sect. VI, resolution 38/89.

<sup>208</sup> A/38/216, sect. VIII.

<sup>209</sup> A/36/261, A/36/739, A/37/125 and Add.1 and A/38/213.

International Conference on Assistance to Chad from fully honouring their commitments,

*Noting with concern* that the resumption of fighting is aggravating the situation of dire need in Chad resulting from the systematic destruction of the economic and social infrastructure during seventeen years of war and from the effects of natural disasters,

*Considering* that Chad is included in the list of the least developed countries and is therefore entitled to the benefits provided for in the relevant General Assembly resolutions,

*Recognizing* the need for the provision by the international community of emergency humanitarian assistance, particularly in the areas of food and health, to the population of Chad,

1. *Expresses its gratitude* to the States and organizations that responded to the appeals of the Government of Chad and of the Secretary-General by furnishing assistance to Chad;

2. *Also expresses its gratitude* to the Secretary-General for his efforts to mobilize assistance to Chad;

3. *Again appeals* to the international community to provide, as a matter of urgency, the necessary assistance to the people of Chad, who have suffered from the war;

4. *Renews the request* made to States, appropriate organizations and programmes of the United Nations and international financial institutions to contribute to the rehabilitation and reconstruction of Chad through bilateral or multilateral channels;

5. *Takes note* of the desire of Chad to organize, as soon as circumstances permit, a conference of donors and contributors of funds to consider a general programme of reconstruction and development and to finance detailed projects in the areas of priority;

6. *Requests* the Administrator of the United Nations Development Programme to give all the necessary assistance to Chad for the preparation and organization of the conference, in accordance with the arrangements agreed upon at the International Conference on Assistance to Chad held in November 1982;

7. *Also requests* the Secretary-General:

(a) To monitor, in close collaboration with the humanitarian agencies concerned, the humanitarian needs, particularly in the areas of food and health, of the people affected by the war and the drought;

(b) To mobilize the humanitarian assistance of the international community for persons who have suffered as a result of the war in Chad;

(c) To pursue his efforts to organize the programme of financial assistance to Chad;

(d) To apprise the Economic and Social Council, at its second regular session of 1984, of the situation and to report thereon to the General Assembly at its thirty-ninth session.

104th plenary meeting  
20 December 1983

### 38/215. Assistance to Lesotho

*The General Assembly,*

*Recalling* Security Council resolution 402 (1976) of 22 December 1976, in which the Council, *inter alia*, expressed concern at the serious situation created by South Africa's closure of certain border posts between South

Africa and Lesotho aimed at coercing Lesotho into accord- ing recognition to the bantustan of the Transkei,

*Recalling also* Security Council resolution 535 (1983) of 29 June 1983, in which the Council endorsed the report of the mission dispatched to Lesotho in response to resolu- tion 527 (1982) of 15 December 1982,<sup>210</sup>

*Commending* the decision of the Government of Lesotho not to recognize the Transkei, in compliance with United Nations decisions, particularly General Assembly resolution 31/6 A of 26 October 1976,

*Also commending* the Government of Lesotho for its steadfast opposition to *apartheid* and its generosity to the South African refugees,

*Fully aware* that the decision of the Government of Lesotho not to recognize the Transkei and its acceptance of refugees from South Africa have imposed special eco- nomic burdens upon its people,

*Strongly endorsing* the appeals made in Security Council resolutions 402 (1976) of 22 December 1976, 407 (1977) of 25 May 1977 and 535 (1983) of 29 June 1983, in Gen- eral Assembly resolutions 32/98 of 13 December 1977, 33/128 of 19 December 1978, 34/130 of 14 December 1979, 35/96 of 5 December 1980, 36/219 of 17 December 1981 and 37/160 of 17 December 1982, and by the Secre- tary-General, calling upon all States, regional and inter- governmental organizations and the appropriate organiza- tions of the United Nations system to contribute generously to the international programme of assistance to enable Lesotho to carry out its economic development and enhance its capacity to implement fully the resolutions of the United Nations,

*Having examined* the summary report of the Secretary- General,<sup>211</sup> prepared in response to General Assembly resolution 37/160, in which the economic situation was reviewed, as well as the progress in the implementation of the special programme of economic assistance for Lesotho,

*Noting* the priority which the Government of Lesotho accords to raising levels of food production through increased productivity, thus lessening the country's depen- dency on South Africa for food imports,

*Aware* that the high prices paid by Lesotho for its imports of petroleum products as a result of the oil embargo on South Africa have become a serious imped- iment to the development of the country,

*Recognizing*, in connection with such embargoes, the obligation of the international community to help coun- tries such as Lesotho that act in support of the Charter of the United Nations and in compliance with General Assembly resolutions,

*Recalling* its resolutions 32/160 of 19 December 1977 and 33/197 of 29 January 1979 concerning the Transport and Communications Decade in Africa and, in this regard, noting Lesotho's geopolitical situation, which necessitates the urgent development of air and telecommunication links with neighbouring countries in Africa and the rest of the world,

*Taking account* of Lesotho's need for a national network of roads, both for its planned social and economic devel- opment and to lessen its dependence on the South African network, to reach various regions of the country affected by the imposition of travel restrictions by South Africa,

*Taking note* of Lesotho's special problems associated with the employment of large numbers of its able-bodied men in South Africa,

*Taking note also* of the priority which the Government of Lesotho has accorded to the problem of absorbing into

<sup>210</sup> S/15600.

<sup>211</sup> A/38/216, sect. XI.

the economy the young generation, as well as migrant workers returning from South Africa,

*Welcoming* the action taken by the Government of Lesotho to make more effective use of women in the development process by promoting their participation in the economic, social and cultural life of the country,

*Taking account also* of Lesotho's position as a least developed, most seriously affected and land-locked country,

*Recalling* its resolution 32/98, in which it, *inter alia*, recognized that the continuing influx of refugees from South Africa imposed an additional burden on Lesotho,

1. *Expresses its concern* at the difficulties that confront the Government of Lesotho as a result of its decision not to recognize the so-called independent Transkei, and of its rejection of *apartheid* and acceptance of refugees from *apartheid* oppression;

2. *Endorses fully* the assessment of the situation contained in the report of the mission to Lesotho, dispatched in response to Security Council resolution 527 (1982),<sup>210</sup> and in the summary report of the Secretary-General;<sup>211</sup>

3. *Takes note* of the requirements of Lesotho, as described in the reports of the mission to Lesotho and of the Secretary-General, to carry out the remainder of its development programme, to implement projects necessitated by the present political situation in the region and to lessen its dependence on South Africa;

4. *Expresses its appreciation* to the Secretary-General for the measures he has taken to organize an international programme of economic assistance for Lesotho;

5. *Notes with appreciation* the response made thus far by the international community to the special programme of economic assistance for Lesotho, which has enabled it to proceed with the implementation of parts of the recommended programme;

6. *Reiterates its appeal* to Member States, regional and interregional organizations and other intergovernmental organizations to provide financial, material and technical assistance to Lesotho for the implementation of several projects and programmes that are still unfunded, as identified in the reports of the mission to Lesotho and of the Secretary-General;

7. *Calls upon* Member States and the appropriate agencies, organizations and financial institutions to provide assistance to Lesotho so as to enable it to achieve a greater degree of self-sufficiency in food production;

8. *Also calls upon* Member States to give all possible assistance to Lesotho to ensure an adequate and regular supply of oil to meet its national requirements;

9. *Further calls upon* Member States to assist Lesotho in developing its internal road and air systems and its air communications with the rest of the world;

10. *Commends* the efforts of the Government of Lesotho to integrate women more fully into development efforts and requests the Secretary-General to consult with the Government on the type and amount of assistance it will require to achieve this objective;

11. *Draws the attention* of the international community to the meeting of donors held in Lesotho in November 1979, as well as the agricultural sector conference held in Lesotho in October 1980, and urges Member States and the appropriate agencies and organizations to provide assistance to Lesotho in accordance with the outcome of those meetings;

12. *Also draws the attention* of the international community to the special account which was established at United Nations Headquarters by the Secretary-General, in accordance with Security Council resolution 407 (1977), for the purpose of facilitating the channelling of contributions to Lesotho;

13. *Invites* the United Nations Development Programme, the United Nations Children's Fund, the World Health Organization, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations and the International Fund for Agricultural Development to bring further to the attention of their governing bodies the special needs of Lesotho and to report to the Secretary-General by 15 August 1984 on the steps they have taken;

14. *Requests* the appropriate specialized agencies and other organizations of the United Nations system to cooperate closely with the Secretary-General in organizing an effective international programme of assistance to Lesotho and to report periodically to him on the steps they have taken and the resources they have made available to assist that country;

15. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Lesotho;

(b) To consult with the Government of Lesotho on the question of migrant workers returning from South Africa and to report on the type of assistance which the Government requires in order to establish labour-intensive projects to deal with their absorption into the economy;

(c) To ensure that adequate financial and budgetary arrangements are made to continue the organization of the international programme of assistance to Lesotho and the mobilization of assistance;

(d) To keep the situation in Lesotho under constant review, to maintain close contact with Member States, the specialized agencies, regional and other intergovernmental organizations and international financial institutions concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the current status of the special programme of economic assistance for Lesotho;

(e) To report on the progress made in the economic situation of Lesotho and in organizing and implementing the special programme of economic assistance for that country in time for the matter to be considered by the General Assembly at its thirty-ninth session.

104th plenary meeting  
20 December 1983

### 38/216. Assistance to the drought-stricken areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda<sup>212</sup>

*The General Assembly,*

*Recalling* its resolutions 35/90 and 35/91 of 5 December 1980, 36/221 of 17 December 1981 and 37/147 of 17 December 1982 and Economic and Social Council resolution 1983/46 of 28 July 1983,

*Taking note* of the report of the Secretary-General on assistance to the drought-stricken areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda,<sup>213</sup>

*Deeply concerned* at the intensity and the permanent and expanding nature of the drought in the subregion.

<sup>212</sup> See also resolution 38/213 above and sect. VI, resolutions 38/88–38/91.

<sup>213</sup> A/38/214.

1. *Reaffirms* its resolutions 36/221 and 37/147 on assistance to the drought-stricken areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda;

2. *Takes note* of the ongoing consultations between the Governments concerned on the establishment of an inter-governmental body to combat the effects of drought and other natural disasters and urges them to finalize, as soon as possible, the necessary arrangements for the establishment of that body;

3. *Requests* the Secretary-General, in close coordination with the Administrator of the United Nations Development Programme and the appropriate specialized agencies and other organizations of the United Nations system, to continue to extend all necessary assistance to those countries in their efforts to combat the effects of drought on the basis of the recommendations of various multi-agency missions, pending the establishment of the intergovernmental body;

4. *Also requests* the Secretary-General, in close coordination with the Administrator of the United Nations Development Programme and the appropriate specialized agencies and other organizations of the United Nations system, to assist the Governments of the region, at their request, in establishing or improving national machinery to combat the effects of drought and other natural disasters, to apprise the Economic and Social Council, at its second regular session of 1984, of the progress achieved in the implementation of the present resolution and to report thereon to the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

**38/217. Special assistance to alleviate the economic and social problems faced in regions of Honduras and Nicaragua as a result of the May 1982 floods and other subsequent natural disasters**

*The General Assembly,*

*Recalling* its resolutions 3440 (XXX) of 9 December 1975 on assistance in cases of natural disaster and other disaster situations and 37/144 of 17 December 1982 on the Office of the United Nations Disaster Relief Co-ordinator,

*Taking note* of resolution 419 (PLEN.15) on international assistance to alleviate the economic and social problems faced by Honduras and Nicaragua as a result of the May 1982 floods,<sup>214</sup> adopted by the Committee of the Whole of the Economic Commission for Latin America at its fifteenth special session, held in New York on 22 and 23 July 1982,

*Taking into account* Economic and Social Council decision 1982/168 of 29 July 1982, by which the Council endorsed resolution 419 (PLEN.15) of the Economic Commission for Latin America,

*Mindful* that by its decision 37/433 of 17 December 1982, adopted in pursuance of Economic and Social Council decision 1982/168, it endorsed resolution 419 (PLEN.15),

*Bearing in mind* that the damage caused by the May 1982 floods in Honduras and Nicaragua has still not been made good,

*Bearing in mind also* that, during 1983, weather conditions in the south-west region of Honduras and the north-west region of Nicaragua have again been detrimental owing to a prolonged drought, which has caused heavy losses in the production of basic grains and other agricultural products, a phenomenon unprecedented in the past fifty years in Honduras, and which has affected thousands of rural families in those regions in both countries,

*Considering* that, because of the current drought and despite national efforts in both countries, the economic and social situation of those regions has worsened and the need for assistance from the international community is even greater,

1. *Expresses its gratitude* to the States Members, bodies and organizations of the United Nations system that have provided emergency aid to Honduras and Nicaragua, in order to enable them to cope with the disaster;

2. *Appeals* to the States Members, bodies and organizations of the United Nations system to continue to provide assistance to Honduras and Nicaragua, in order to counter the serious economic and social consequences of the natural disasters experienced during the past two years in the regions referred to above;

3. *Makes an urgent appeal* to the Office of the United Nations Disaster Relief Co-ordinator to take immediate steps to prevent the situation from becoming a state of emergency;

4. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the progress made in the implementation of the present resolution.

*104th plenary meeting  
20 December 1983*

**38/218. Economic assistance to Vanuatu**

*The General Assembly,*

*Recalling* its resolution 3421 (XXX) of 8 December 1975 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in which it urged the specialized agencies and other organizations within the United Nations system to extend assistance to the newly independent and emerging States,

*Recalling also* its resolutions 31/156 of 21 December 1976, 32/185 of 19 December 1977, 34/205 of 19 December 1979, 35/61 of 5 December 1980 and 37/206 of 20 December 1982, in which it urged all Governments, in particular those of the developed countries, to lend their support, in the context of their assistance programmes, for the implementation of the specific action envisaged in favour of island developing countries, and in which it also called upon all organizations of the United Nations system to implement, within their respective spheres of competence, appropriate specific actions in favour of island developing countries,

*Recalling further* resolutions 98 (IV) of 31 May 1976,<sup>215</sup> 111 (V) of 3 June 1979,<sup>216</sup> and 138 (VI) of 2 July 1983<sup>217</sup> of the United Nations Conference on Trade and Development concerning special action related to the particular needs and problems of island developing countries,

*Recognizing* the difficult problems faced by island developing countries, owing mainly to their smallness, remoteness, constraints in transport, great distances from market centres, highly limited internal markets, lack of natural

<sup>214</sup> See E/CEPAL/G.1209/Rev.2, chap.IV.

<sup>215</sup> 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.

<sup>216</sup> *Ibid.*, *Fifth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

<sup>217</sup> *Ibid.*, *Sixth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

resources, heavy dependence on a few commodities, shortage of administrative personnel and heavy financial burdens.

*Taking into account* the fact that Vanuatu is an island developing country and is small and archipelagic, which makes the provision of services difficult and entails very high overhead costs, because of inter-island distances.

*Concerned* at the severe constraints on the economic development of Vanuatu, particularly those ensuing from its geographical isolation,

*Concerned also* at the continued structural imbalances in the economy of the country, particularly its overwhelming dependence on imports,

*Noting* that the disadvantageous demographic and geographic features of Vanuatu, such as its physical remoteness, small area and small population, pose special development problems,

*Noting also* that, without good transport and communications links, any development will be difficult,

1. *Calls the attention* of the international community to the special problems confronting Vanuatu as an island developing country with a small population;

2. *Appeals* to Member States, regional and interregional organizations and other intergovernmental organizations to provide financial, material and technical assistance to Vanuatu to enable it to establish the social and economic infrastructure that is essential for the well-being of its people;

3. *Invites* the Economic and Social Commission for Asia and the Pacific, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the United Nations Children's Fund, the United Nations Development Programme, the World Food Programme, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the International Civil Aviation Organization, the World Health Organization, the World Bank, the International Telecommunication Union, the World Meteorological Organization, the International Maritime Organization and the International Fund for Agricultural Development to bring to the attention of their governing bodies, for their consideration, the special needs of Vanuatu and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

4. *Requests* the Secretary-General to mobilize the financial, technical and economic assistance of the international community, in particular the developed countries and the appropriate organizations of the United Nations system, with a view to meeting the short-term and long-term development needs of Vanuatu;

5. *Requests* the appropriate organizations and programmes of the United Nations system to maintain and increase their current and future programmes of assistance to Vanuatu, to co-operate closely with the Secretary-General in organizing an effective international programme of assistance and to report periodically to him on the steps they have taken and the resources they have made available to help that country;

6. *Requests* the Committee for Development Planning at its twentieth session, as a matter of priority, to give due consideration to the question of the inclusion of Vanuatu in the list of the least developed countries and to submit its

conclusions to the Economic and Social Council at its second regular session of 1984;

7. *Calls upon* Member States, pending consideration by the Committee for Development Planning at its twentieth session of the report submitted to it and in view of the critical economic situation of Vanuatu, to accord Vanuatu special measures and, as a matter of priority, to give special consideration to the early inclusion of Vanuatu in their programmes of development assistance;

8. *Also requests* the Secretary-General to keep this matter under review and to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

104th plenary meeting  
20 December 1983

### 38/219. Assistance to Cape Verde

*The General Assembly,*

*Recalling* its resolutions 32/99 of 13 December 1977, 33/127 of 19 December 1978, 34/119 of 14 December 1979, 35/104 of 5 December 1980, 36/211 of 17 December 1981 and 37/152 of 17 December 1982, in which the international community was requested to provide an appropriate level of resources for the implementation of the programme of assistance to Cape Verde as envisaged in the reports of the Secretary-General,<sup>218</sup>

*Recalling* resolutions 142 (VI) and 138 (VI) of 2 July 1983 of the United Nations Conference on Trade and Development<sup>217</sup> on the progress in the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries,<sup>219</sup> and on activities in the field of island developing countries,

*Noting* that Cape Verde is one of the least developed countries and a small archipelagic State, with a fragile and open economy, aggravated by endemic and severe drought,

*Reiterating* that increased substantial, continuous and predictable assistance from the international community is needed for the effective implementation of the First National Development Plan (1982-1985),

*Gravely concerned* at the critical food situation in Cape Verde resulting from the failure of seasonal rains and the continuing recurrence of drought,

*Recognizing* the strenuous efforts deployed by the Government and people of Cape Verde towards the economic and social development of their country despite existing constraints,

1. *Takes note* of the summary report of the Secretary-General<sup>220</sup> prepared in response to General Assembly resolution 37/152;

2. *Expresses its appreciation* to the Secretary-General for the efforts deployed in mobilizing resources for the implementation of the programme of assistance to Cape Verde;

3. *Expresses its gratitude* to States and to international, regional and interregional organizations and other intergovernmental organizations for their contribution to the programme of assistance to Cape Verde;

4. *Reaffirms* the need for all Governments and international organizations to implement their commitments undertaken within the framework of the Substantial New

<sup>218</sup> A/33/167 and Corr.1, A/34/372 and Corr.1, A/35/332 and Corr.1, A/36/265 and A/37/124.

<sup>219</sup> Report of the United Nations Conference on the Least Developed Countries, Paris, 1-14 September 1981 (United Nations publication, Sales No. E.82.1.8), part one, sect. A.

<sup>220</sup> A/38/216, sect. V.



Programme of Action for the 1980s for the Least Developed Countries, particularly those undertaken at the round table of Cape Verde's partners in development, held in June 1982;

5. *Urges* Governments and international, regional and interregional organizations and other intergovernmental organizations to extend and intensify substantially their assistance with a view to implementing the programme of assistance to Cape Verde as soon as possible;

6. *Invites* the international community, in particular donor countries, to take appropriate and urgent measures to support the realization of the First National Development Plan (1982-1985) of Cape Verde;

7. *Requests* the organs, organizations and bodies of the United Nations system to continue and increase their assistance to Cape Verde, to co-operate with the Secretary-General in his efforts to mobilize resources for the implementation of the programme of assistance and to report periodically to him on the measures they have taken and the resources they have made available to help that country;

8. *Calls upon* the international community to continue to contribute generously to all appeals for food and fodder assistance made by the Government of Cape Verde, or on its behalf by the specialized agencies and other competent organizations of the United Nations system, to help it cope with the critical situation in the country;

9. *Once again draws the attention* of the international community to the special account established at United Nations Headquarters by the Secretary-General, in accordance with General Assembly resolution 32/99, for the purpose of facilitating the channelling of contributions to Cape Verde;

10. *Invites* the United Nations Development Programme, the United Nations Conference on Trade and Development, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations, the World Bank and the International Fund for Agricultural Development to continue to consider, through their governing bodies, the special needs of Cape Verde and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

11. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for implementing the programme of development assistance to Cape Verde;

(b) To keep the situation in Cape Verde under constant review and to apprise the Economic and Social Council, at its second regular session of 1984, of the progress made in the implementation of the present resolution;

(c) To arrange for a review of the economic situation in Cape Verde and to make a substantive report on further progress in organizing and implementing the special programme of economic assistance for that country in time for the matter to be considered by the General Assembly at its thirty-ninth session.

*104th plenary meeting  
20 December 1983*

### **38/220. Assistance for the reconstruction and development of Lebanon**

*The General Assembly,*

*Recalling* its resolutions 33/146 of 20 December 1978, 34/135 of 14 December 1979, 35/85 of 5 December 1980, 36/205 of 17 December 1981 and 37/163 of 17 December 1982 on assistance for the reconstruction and development of Lebanon,

*Recalling also* Economic and Social Council resolution 1980/15 of 29 April 1980 and decision 1983/112 of 17 May 1983,

*Noting with deep concern* the continuing heavy loss of life and the additional destruction of property, which have caused further extensive damage to the economic and social structures of Lebanon,

*Welcoming* the determined efforts of the Government of Lebanon in undertaking its reconstruction and rehabilitation programme,

*Reaffirming* the urgent need for further international action to assist the Government of Lebanon in its continuing efforts for reconstruction and development,

*Taking note* of the report of the Secretary-General<sup>221</sup> and of the statement made by the United Nations Co-ordinator of Assistance for the Reconstruction and Development of Lebanon on 10 November 1983,<sup>222</sup>

1. *Expresses its appreciation* to the Secretary-General for his report and for the steps he has taken to mobilize assistance to Lebanon;

2. *Commends* the United Nations Co-ordinator of Assistance for the Reconstruction and Development of Lebanon and his staff for their valuable and unstinting efforts in the discharge of their duties;

3. *Expresses its appreciation* for the relentless efforts undertaken by the Government of Lebanon in the implementation of the initial phase of the reconstruction of Lebanon, despite adverse circumstances;

4. *Requests* the Secretary-General to continue and intensify his efforts to mobilize all possible assistance within the United Nations system to help the Government of Lebanon in its reconstruction and development efforts;

5. *Requests* the organs, organizations and bodies of the United Nations system to intensify their programmes of assistance and to expand them in response to the needs of Lebanon;

6. *Also requests* the Secretary-General to report to the Economic and Social Council at its second regular session of 1984 and to the General Assembly at its thirty-ninth session on the progress achieved in the implementation of the present resolution.

*104th plenary meeting  
20 December 1983*

### **38/221. Special economic assistance to Guinea-Bissau**

*The General Assembly,*

*Recalling* its resolution 35/95 of 5 December 1980, in which it reiterated its appeal to the international community to provide continuous financial, material and technical assistance to Guinea-Bissau to help it overcome its financial and economic difficulties and to permit the implementation of the projects and programmes recom-

<sup>221</sup> A/38/217 and Add.1.

<sup>222</sup> *Official Records of the General Assembly, Thirty-eighth Session, Second Committee, 35th meeting, paras. 1-17.*

mended by the Secretary-General in his report submitted in response to General Assembly resolution 34/121 of 14 December 1979.<sup>223</sup>

*Recalling also* its resolution 36/217 of 17 December 1981,

*Recalling further* its resolution 3339 (XXIX) of 17 December 1974, in which it invited Member States to provide economic assistance to the then newly independent State of Guinea-Bissau, and its resolutions 32/100 of 13 December 1977 and 33/124 of 19 December 1978, in which it, *inter alia*, expressed deep concern at the serious economic situation in Guinea-Bissau and appealed to the international community to provide financial and economic assistance to that country.

*Having considered* the summary report of the Secretary-General,<sup>224</sup>

*Recalling that* Guinea-Bissau is one of the least developed countries,

*Noting with concern* that Guinea-Bissau continues to be beset by serious economic and financial difficulties,

*Also noting with concern* that the gross national product has dropped in real terms, that the balance-of-payments deficit continues to increase, that the external debt is imposing a heavy burden on the economy and that the budget deficit has also risen substantially.

*Noting that* Guinea-Bissau continues to face a serious food shortage and needs more than 82,000 tonnes of food-stuffs,

*Noting with satisfaction* that the Government of Guinea-Bissau has prepared a comprehensive development strategy aimed at stabilizing the country's finances and ensuring the country's economic recovery within the framework of a four-year development plan (1983-1986),

*Noting also* that the Government of Guinea-Bissau, in view of the seriousness of the economic situation, has decided to implement a rigorous economic and financial stabilization programme, the main purpose of which is to remedy the economic situation.

*Noting further* that the Government of Guinea-Bissau had proposed, with the assistance of the United Nations Development Programme, to hold a round table of donors at Geneva in January 1984 and that, to this end, it held a preparatory meeting of donors at Lisbon from 17 to 19 November 1983,

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to mobilize assistance to Guinea-Bissau;

2. *Draws the attention* of the international community to the requirements for assistance for the projects and programmes identified in the Secretary-General's reports mentioned above;

3. *Expresses its appreciation* to those States and organizations that have provided assistance to Guinea-Bissau in response to appeals by the General Assembly and the Secretary-General;

4. *Calls upon* Member States and the international organizations concerned to be generous in granting Guinea-Bissau the food aid it needs;

5. *Renews its urgent appeal* to Member States, regional and interregional organizations and other intergovernmental organizations to continue providing financial, material and technical assistance to Guinea-Bissau to help it overcome its economic and financial difficulties and to permit the implementation of the projects and programmes identified in the annexes to the reports of the Secretary-General;

6. *Urges* Member States, organizations of the United Nations system, regional and interregional bodies and financial and development institutions, as well as governmental and non-governmental organizations, to respond generously to the needs of Guinea-Bissau at the round table of donors in January 1984;

7. *Appeals* to the international community to contribute to the special account established at United Nations Headquarters by the Secretary-General, in accordance with General Assembly resolution 32/100, for the purpose of facilitating the channelling of contributions to Guinea-Bissau;

8. *Invites* the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the Food and Agriculture Organization of the United Nations, the World Bank and the International Fund for Agricultural Development to bring to the attention of their governing bodies, for their consideration, the special needs of Guinea-Bissau and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

9. *Requests* the appropriate specialized agencies and other organizations of the United Nations system to report periodically to the Secretary-General on the steps they have taken and the resources they have made available to assist Guinea-Bissau;

10. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Guinea-Bissau;

(b) To keep the situation in Guinea-Bissau under constant review, to maintain close contact with Member States, the specialized agencies, regional and other intergovernmental organizations and international financial institutions concerned, and to apprise the Economic and Social Council, at its second regular sessions of 1984 and 1985, as well as the General Assembly at its thirty-ninth session, of the status of the special programme of economic assistance for Guinea-Bissau;

(c) To arrange for a review of the results of the round table of donors scheduled to be held in January 1984, and of the progress made in organizing and implementing the special programme of economic assistance for Guinea-Bissau in time for the matter to be considered by the General Assembly at its fortieth session.

*104th plenary meeting  
20 December 1983*

### **38/222. Assistance to Bolivia, Ecuador and Peru to alleviate the effects of natural disasters**

*The General Assembly,*

*Recalling* Economic and Social Council resolution 1983/45 of 28 July 1983, in which the Council expressed its deep concern about the large-scale devastation wrought by the heavy rain and floods that had recently affected extensive areas of Bolivia, Ecuador and Peru and by the drought suffered by Bolivia and Peru,

*Recognizing* that those phenomena have devastated urban and rural areas and caused serious damage to agriculture, stock-raising and agro-industry, which are important sectors of economic activity in Bolivia, Ecuador and Peru,

*Also recognizing* the serious damage to basic services, resulting in impaired living conditions, particularly condi-

<sup>223</sup> A/35/343.

<sup>224</sup> A/38/216, sect. X.

tions affecting health, in those areas, and also the serious damage to the transport and communications infrastructure.

*Bearing in mind* the statements made by the representatives of the Governments of Bolivia, Ecuador and Peru at the special meeting on emergency assistance to Bolivia, Ecuador and Peru, convened by the Secretary-General on 10 August 1983, and the documents submitted to that meeting, containing a preliminary evaluation of the damage caused by the natural phenomena in Bolivia, Ecuador and Peru and the identification of immediate international assistance requirements.

*Having received* information from the Co-ordinator of the Special Economic Assistance Programmes on the measures taken by the Secretary-General, with particular reference to the findings of the multi-agency mission, which evaluated the damage and proposed a programme of reconstruction and rehabilitation for the affected areas and sectors,<sup>225</sup>

*Affirming* the urgent need for prompt and concerted international action to assist the peoples and Governments of Bolivia, Ecuador and Peru to cope with the emergency situation resulting from natural disasters and to carry out the rehabilitation and reconstruction of the areas and sectors affected,

*Noting with appreciation* the work done by the Office of the United Nations Disaster Relief Co-ordinator and the United Nations Development Programme and the assistance provided by Governments, the programmes and organizations of the United Nations system and governmental and non-governmental organizations during the emergency phase,

*Noting with satisfaction* the timely action taken by the Secretary-General during the emergency, through the appointment of a personal representative and the dispatch of a multisectoral mission to prepare a special programme of economic assistance for the rehabilitation and reconstruction of the affected areas and sectors in Bolivia, Ecuador and Peru,

1. *Takes note* of the efforts made by the peoples and Governments of Bolivia, Ecuador and Peru to cope with the emergency situation and to initiate rehabilitation and reconstruction;

2. *Expresses its gratitude* to all States, programmes and organizations of the United Nations system and non-governmental organizations that have provided assistance to Bolivia, Ecuador and Peru during the emergency;

3. *Expresses its appreciation* to the Secretary-General for the timely action which he took during the emergency and also for the dispatch of the multisectoral mission to the three countries for the preparation of special programmes of economic assistance for the rehabilitation and reconstruction of the affected areas and sectors in Bolivia, Ecuador and Peru on the basis of their needs;

4. *Urgently reiterates the appeal* of the Economic and Social Council to all States, governmental and non-governmental organizations, specialized agencies and programmes of the United Nations system to co-operate in the financing of programmes for the reconstruction of the infrastructure and for the rehabilitation of the affected areas of Bolivia, Ecuador and Peru and to participate actively in their implementation;

5. *Requests* the appropriate programmes and organizations of the United Nations system to maintain and expand their programmes of assistance to Bolivia, Ecuador

and Peru in support of the rehabilitation and reconstruction efforts in those countries;

6. *Also requests* regional and interregional organizations, non-governmental organizations and international financial institutions to give urgent consideration to the establishment of assistance programmes for rehabilitation and reconstruction in Bolivia, Ecuador and Peru or to the expansion of existing programmes;

7. *Invites* the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the Department of Technical Cooperation for Development of the Secretariat, the United Nations Children's Fund, the World Food Programme, the World Health Organization, the United Nations Industrial Development Organization, the International Labour Organisation, the World Meteorological Organization, the World Bank, the International Fund for Agricultural Development and other appropriate programmes and operational funds, to refer the special needs of Bolivia, Ecuador and Peru to their governing bodies, for their consideration, and to report the decisions of those bodies to the Secretary-General by 15 July 1984;

8. *Requests* the Secretary-General:

(a) To continue his efforts and to take appropriate steps in collaboration with the United Nations Development Programme for the mobilization of resources for the implementation of special programmes of economic assistance for rehabilitation and reconstruction in Bolivia, Ecuador and Peru and to disseminate widely the findings of the multisectoral mission;

(b) To keep the situation regarding special economic assistance for the rehabilitation and reconstruction of Bolivia, Ecuador and Peru under constant review, to maintain close contact with Member States, the specialized agencies, regional organizations and the international financial institutions concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the status of the mobilization of assistance;

(c) To report to the General Assembly at its thirtieth session on the implementation of the present resolution.

*104th plenary meeting  
20 December 1983*

### 38/223. Assistance to Nicaragua<sup>226</sup>

*The General Assembly,*

*Recalling* its resolutions 34/8 of 25 October 1979, 35/84 of 5 December 1980, 36/213 of 17 December 1981 and 37/157 of 17 December 1982 concerning assistance for the reconstruction of Nicaragua,

*Recalling also* Economic and Social Council decision 1982/168 of 29 July 1982,

*Recalling further* resolution 982 adopted by the Seventeenth Regional Conference for Latin America of the Food and Agriculture Organization of the United Nations, held at Managua from 30 August to 10 September 1982,

*Taking note* of the report of the Secretary-General on assistance to Nicaragua,<sup>227</sup>

*Noting with satisfaction* the support that Member States, the specialized agencies and other organizations of the United Nations system have given to the efforts of the Government of Nicaragua for the reconstruction of the country,

<sup>225</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Second Committee, 35th meeting, para. 38.*

<sup>226</sup> See also resolution 38/217 above.

<sup>227</sup> A/38/218.

Noting that from June to September 1982 Nicaragua suffered a serious drought that considerably affected the agricultural and livestock sectors, which constitute the most important economic activities of the country.

Considering that, despite the efforts of the Government and people of Nicaragua, the economic situation has not returned to normal and continues to worsen.

Deeply concerned that Nicaragua is experiencing serious economic difficulties directly affecting its development efforts,

1. Expresses its appreciation to the Secretary-General for his efforts regarding assistance to Nicaragua;
2. Expresses its appreciation to the States and organizations that have provided assistance to Nicaragua;
3. Urges all Governments to continue contributing to the reconstruction and development of Nicaragua;
4. Requests the organizations of the United Nations system to continue and to increase their assistance in this endeavour;
5. Recommends that Nicaragua should continue to receive treatment appropriate to the special needs of the country until the economic situation returns to normal;
6. Requests the Secretary-General to report to the General Assembly at its thirty-ninth session on the progress made in the implementation of the present resolution.

*104th plenary meeting  
20 December 1983*

### **38/224. Assistance for the reconstruction, rehabilitation and development of Equatorial Guinea**

*The General Assembly,*

Recalling its resolutions 35/105 of 5 December 1980 and 36/204 of 17 December 1981, in which, *inter alia*, it recognized the need for the adoption of special measures of assistance to enable Equatorial Guinea to rebuild its economy and to restore to normal the social and public services of the country, and drew the attention of the international community to the critical situation confronting Equatorial Guinea and to the list of urgent short-term and long-term projects required by the Government to carry out its programme of rehabilitation.

Recalling its resolution 37/133 of 17 December 1982, by which Equatorial Guinea was included in the list of the least developed countries,

Recognizing the critical situation still confronting Equatorial Guinea and the difficult task of reconstruction and development facing the Government of that country,

Recognizing also the essential role of both short-term and long-term international assistance in support of the efforts of the Government of Equatorial Guinea,

Noting that the International Conference of Donors for the Economic Reactivation and Development of the Republic of Equatorial Guinea took place at Geneva in April 1982 under the auspices of the United Nations Development Programme and the Government of Equatorial Guinea,

1. Appeals to all Member States to respond generously, through bilateral or multilateral channels, to the reconstruction and development needs of Equatorial Guinea as presented at the International Conference of Donors;
2. Calls upon regional and interregional organizations and other intergovernmental and non-governmental organizations, as well as international financial and devel-

opment institutions, to give urgent consideration to the establishment of a programme of assistance to Equatorial Guinea or, where one is already in existence, to the expansion of that programme, in response to the International Conference of Donors;

3. Requests the appropriate organizations and programmes of the United Nations system—in particular the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Bank, the World Food Programme, the World Health Organization, the United Nations Children's Fund and the United Nations Fund for Population Activities—to maintain and expand their programmes of assistance to Equatorial Guinea, to co-operate closely with the Secretary-General in organizing an effective international programme of assistance, to report periodically to the Secretary-General on the steps they have taken and the resources they have made available to help that country and to provide, as appropriate, all possible assistance to meet the critical humanitarian needs of the population and to provide food, medicines and essential equipment for hospitals and schools;

4. Requests the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Equatorial Guinea;

(b) To keep the situation in Equatorial Guinea under review, to maintain close contact with Member States, the specialized agencies, regional and other intergovernmental organizations and international financial institutions concerned and to apprise the Economic and Social Council, at its second regular session of 1984, of the status of assistance to Equatorial Guinea;

(c) To submit to the General Assembly at its thirty-ninth session a report on the economic situation of Equatorial Guinea and the progress made in implementing the present resolution, in particular the response of the international community to the International Conference of Donors.

*104th plenary meeting  
20 December 1983*

### **38/225. Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region**

*The General Assembly,*

Recalling its resolutions 3054 (XXVIII) of 17 October 1973, 3253 (XXIX) of 4 December 1974, 3512 (XXX) of 15 December 1975, 31/180 of 21 December 1976, 32/159 of 19 December 1977, 33/133 of 19 December 1978, 34/16 of 9 November 1979, 35/86 of 5 December 1980, 36/203 of 17 December 1981 and 37/165 of 17 December 1982,

Taking note of decision 83/26 of 22 June 1983 of the Governing Council of the United Nations Development Programme<sup>228</sup> concerning the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region,

Noting with satisfaction the important activities of the United Nations Sudano-Sahelian Office in helping to combat the effects of drought and to implement the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region adopted by the

<sup>228</sup> See *Official Records of the Economic and Social Council, 1983, Supplement No. 9 (E/1983/20)*, annex I.

States members of the Permanent Inter-State Committee on Drought Control in the Sahel, as well as in mobilizing the necessary resources to finance priority projects,

*Noting also* the continued collaboration of the United Nations Educational, Scientific and Cultural Organization with the Permanent Inter-State Committee on Drought Control in the Sahel through its arid and semi-arid zone programmes,

*Bearing in mind* the statement made before the General Assembly on 28 September 1983 by the President of the Republic of Cape Verde, as current Chairman of the Permanent Inter-State Committee on Drought Control in the Sahel,<sup>229</sup> in which he emphasized the continuing gravity of the drought situation in the countries of the Sahel and its devastating consequences on the development of those countries,

*Noting with concern* the critical food situation in the countries of the Sahel as highlighted in the statement made by the Director-General of the Food and Agriculture Organization of the United Nations on 27 October 1983,<sup>230</sup>

*Noting with satisfaction* the collaboration between the Permanent Inter-State Committee on Drought Control in the Sahel and the Club du Sahel and urging that this collaboration be continued and strengthened,

*Taking into account* the fundamental priorities of the Permanent Inter-State Committee on Drought Control in the Sahel aimed at implementing strategies for rural development and striving to achieve food self-sufficiency and food security, as well as restoration of an ecological balance in the region,

*Considering* the nature and magnitude of the needs of the States members of the Permanent Inter-State Committee on Drought Control in the Sahel and the need for the continuation and further strengthening of the support of the international community for assisting the recovery efforts and the economic development of those countries,

*Taking into account* that the First-Generation Programme, adopted by the Biennial Conference of the Heads of State of the Permanent Inter-State Committee on Drought Control in the Sahel, has received only 60 per cent of the financing required,

*Having considered* the report of the Secretary-General on the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region,<sup>231</sup> as well as the report of the Joint Inspection Unit on the activities of the United Nations Sudano-Sahelian Office,<sup>232</sup>

1. *Takes note* of the report of the Secretary-General on the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region;

2. *Welcomes* the report of the Joint Inspection Unit on the activities of the United Nations Sudano-Sahelian Office, in particular its recommendation that the Office should energetically continue its specific activities, under its first mandate, to combat drought in the countries of the Sahel;<sup>233</sup>

3. *Expresses its gratitude* to the Governments, organizations of the United Nations system, intergovernmental organizations, private organizations and individuals that have contributed to the implementation of the medium-

term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region;

4. *Strongly urges* all Governments to make special efforts to increase the resources of the United Nations Sudano-Sahelian Office, including through voluntary contributions to the United Nations Pledging Conference for Development Activities, as well as through bilateral channels, so as to enable it to respond more fully to the priority requirements of the Governments of the States members of the Permanent Inter-State Committee on Drought Control in the Sahel;

5. *Requests* the international community to support the implementation of the Second-Generation Programme of the States members of the Permanent Inter-State Committee on Drought Control in the Sahel, *inter alia*, in regard to:

(a) Development projects already conceived and approved by the respective Governments;

(b) Regional projects for the struggle against desertification;

(c) Basic surveys needed for establishment of the potential for development at national and regional levels;

(d) Strengthening and/or establishment of institutions for research and training, at national and subregional levels, designed to find solutions to the problems confronting the Sahelian countries;

(e) Strengthening of national and subregional capacity for planning, management and evaluation of integrated development actions;

6. *Requests* all Governments and the organs, organizations and programmes of the United Nations system to give special attention to the critical food situation in the countries of the Sahel;

7. *Commends* the Administrator of the United Nations Development Programme for the results achieved, through the United Nations Sudano-Sahelian Office, in assisting the States members of the Permanent Inter-State Committee on Drought Control in the Sahel in the implementation of their medium-term and long-term recovery and rehabilitation programme;

8. *Reaffirms* the role of the United Nations Sudano-Sahelian Office as the co-ordinator of the efforts of the United Nations system to help the countries of the Sahel to implement their recovery and rehabilitation programme;

9. *Invites* the United Nations Sudano-Sahelian Office to continue to strengthen its co-operation with the States members of the Permanent Inter-State Committee on Drought Control in the Sahel and with the Committee itself, with a view to hastening the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region;

10. *Requests* the Secretary-General to continue to report to the General Assembly, through the Governing Council of the United Nations Development Programme and the Economic and Social Council, on the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region.

104th plenary meeting  
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<sup>229</sup> Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings, 7th meeting, paras. 2-73.

<sup>230</sup> *Ibid.*, Second Committee, 19th meeting, paras. 25-31.

<sup>231</sup> A/38/152-E/1983/38.

<sup>232</sup> A/38/180.

<sup>233</sup> *Ibid.*, para. 129.



## VI. RESOLUTIONS ADOPTED ON THE REPORTS OF THE THIRD COMMITTEE

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### 38/14. Second Decade to Combat Racism and Racial Discrimination

*The General Assembly,*

*Reaffirming* its objective contained in the Charter of the United Nations to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental

freedoms for all without distinction as to race, sex, language or religion,

*Reaffirming* its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms, racial discrimination and *apartheid*,

*Recalling* the Universal Declaration of Human Rights,<sup>1</sup> the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>2</sup> the International Convention on the Suppression and Punishment of the Crime of *Apartheid*,<sup>3</sup> the Convention on the Elimination

<sup>1</sup> Resolution 217 A (III).

<sup>2</sup> Resolution 2106 A (XX), annex.

<sup>3</sup> Resolution 3068 (XXVIII).



of All Forms of Discrimination against Women<sup>4</sup> and the Convention against Discrimination in Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,<sup>5</sup>

Recalling further its resolution 3057 (XXVIII) of 2 November 1973, on the first Decade for Action to Combat Racism and Racial Discrimination,

Emphasizing the necessity of attaining the objectives of the Decade,

Recalling the first World Conference to Combat Racism and Racial Discrimination, held at Geneva from 14 to 25 August 1978,

Noting that the Second World Conference to Combat Racism and Racial Discrimination was held at Geneva from 1 to 12 August 1983 pursuant to General Assembly resolution 37/41 of 3 December 1982,

Convinced that the Second World Conference represented a positive contribution by the international community towards attaining the objectives of the Decade, through its adoption of a Declaration and an operational Programme of Action,

Having considered the Report of the Second World Conference to Combat Racism and Racial Discrimination,<sup>6</sup>

Noting with concern that, despite the efforts of the international community, the Decade for Action to Combat Racism and Racial Discrimination has not attained its principal objectives and that millions of human beings continue to this day to be the victims of varied forms of racism and of racial discrimination,

Convinced of the need to take continuing and reinforced international measures for the elimination of racism and racial discrimination and the total eradication of *apartheid* in South Africa,

Noting that, in order to attain these objectives, it is imperative, in accordance with the recommendation of the Second World Conference,<sup>7</sup> to declare a second decade at the end of the present Decade, which expires in December 1983,

1. Proclaims the ten-year period beginning on 10 December 1983 the Second Decade to Combat Racism and Racial Discrimination;

2. Takes note of the results of the Second World Conference to Combat Racism and Racial Discrimination contained in the report of the Conference;

3. Approves the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, which is annexed to the present resolution, and calls upon all States to co-operate in its implementation;

4. Requests the Economic and Social Council to take charge, with the help of the Secretary-General, of coordinating the implementation of the Programme of Action and of evaluating the activities undertaken during the Second Decade;

5. Requests the Secretary-General to submit to the General Assembly at its thirty-ninth session, through the Economic and Social Council, a plan of activities for the period 1985-1989 for implementing the Programme of Action and achieving the objectives of the Second Decade, taking into account the Programme for the Decade for Action to Combat Racism and Racial Discrimination;<sup>8</sup>

6. Decides to consider at its thirty-ninth session the plan of activities for the period 1985-1989 to be submitted by the Secretary-General;

7. Decides further that the Programme for the first Decade should continue to be applied and implemented until the plan of activities for the period 1985-1989 is adopted;

8. Invites Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate in the observance of the Second Decade by intensifying and extending their efforts to ensure the rapid elimination of racism and racial discrimination;

9. Decides to consider on an annual basis an item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination".

66th plenary meeting  
22 November 1983

#### ANNEX

#### Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

##### A. ACTION TO COMBAT *apartheid*

1. The Conference calls upon all States, United Nations organs and intergovernmental and non-governmental organizations to ensure the full and universal implementation of mandatory Security Council resolutions and to make efforts to implement other United Nations resolutions. Particular attention should be paid to specific measures, including those contained in the present Programme of Action, designed to ensure the implementation of the provisions relating to *apartheid*.

2. The Conference reaffirms that the system of *apartheid* in South Africa is the most extreme form of institutionalized racism, a crime against humanity and an affront to the conscience and dignity of mankind, and that South Africa's policies and practices constitute serious breaches of and threats to regional stability and to international peace and security. The Conference calls upon all States, international organizations, private institutions and non-governmental organizations to render increased political and material assistance to the oppressed peoples of South Africa and Namibia and to accelerate greatly campaigns for obtaining the release of all political prisoners imprisoned for their activities against *apartheid*.

3. The Conference further reaffirms the legitimacy of the struggle of the oppressed peoples of South Africa and Namibia and their national liberation movements for the elimination of *apartheid* by all available means, including armed struggle, and the special responsibility of the United Nations and the international community to provide them with moral, political and material assistance in the realization of their quest to exercise their right to self-determination.

4. The Conference reiterates the commitment of the United Nations to the total eradication of *apartheid* and to the establishment of a democratic society in which all the people of South Africa as a whole, irrespective of race, colour, sex or creed, will enjoy equal and full human rights and fundamental freedoms and participate freely in the determination of their destiny.

5. The Conference reaffirms the international community's rejection of the "bantustanization" policy and similar measures which are an integral part of the discriminatory *apartheid* system and which deny the black majority their legitimate rights to their land and to their citizenship of South Africa.

6. The Conference further confirms the international community's rejection of the régime's so-called reforms, especially the limited parliamentary representation for the Coloureds and Asians designed to split the black alliance and buttress the *apartheid* system.

7. The Conference calls upon all States to implement strictly the embargo on the sale and transfer of arms and related military materials imposed against South Africa under Security Council resolution 418 (1977) of 4 November 1977. The Conference further urges the Security Council to adopt urgent measures to strengthen the arms embargo, in accordance with

<sup>4</sup> Resolution 34/180.

<sup>5</sup> United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Eleventh Session, Resolutions*, p. 119.

<sup>6</sup> United Nations publication, Sales No. F.83.XIV.4 and corrigendum.

<sup>7</sup> *Ibid.*, chap. II, para. 66.

<sup>8</sup> Resolution 3057 (XXVIII) annex.

the recommendations of the Council's committee established under its resolution 421 (1977) of 9 December 1977.

8. The Conference calls upon the Security Council to consider urgently the imposition of mandatory sanctions, under Chapter VII of the Charter of the United Nations, against the *apartheid* régime of South Africa, and in particular:

(a) The cessation of all collaboration with South Africa in the nuclear field, as such collaboration would enhance South Africa's capacity to develop nuclear weapons;

(b) The prohibition of all technological assistance or collaboration in the manufacture of arms in South Africa and the provision of military supplies to South Africa;

(c) The cessation of foreign investments in, and financial loans to, South Africa;

(d) An embargo on the supply of petroleum, petroleum products and other strategic commodities that would enable South Africa to continue implementing its *apartheid* policy;

(e) The interruption of trade relations with South Africa.

9. The Conference strongly condemns the racist régime of South Africa for its systematic oppression of and discrimination against the overwhelming majority of the population of South Africa and for its continuing illegal occupation of Namibia. The Conference also condemns acts of military aggression and acts of political and economic destabilization perpetrated by South Africa against the independent neighbouring States of Angola, Botswana, Lesotho, Mozambique, the Seychelles, Swaziland, Zambia and Zimbabwe, as well as South Africa's activities to recruit, train, finance and arm mercenaries for aggression against and destabilization of the neighbouring States, creating instability in this part of the world.

10. The Conference calls for increased international assistance and support to the front-line States and other independent States in the subregion that are subjected to threats and acts of aggression and destabilization by the *apartheid* régime of South Africa, in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity, fight the adverse South African and other propaganda that undermines racial harmony and peace in the subregion, and peacefully rebuild and develop their countries.

11. The Conference calls upon States to sever all sporting, cultural and scientific links with the racist régime and with organizations or institutions in South Africa which practise *apartheid* and to discourage their nationals from having any such contacts.

12. The Conference calls upon all States that have not yet done so:

(a) To refrain from any relations with the *apartheid* régime which could contribute to the continuance of the *apartheid* policy;

(b) To discourage or prevent all business enterprises, including transnational corporations, in so far as they are under their jurisdiction or control, from collaborating in any way with the racist régime of South Africa, as such collaboration may contribute towards the continuance of its *apartheid* policy.

13. The Conference, reaffirming the direct responsibility of the United Nations for Namibia pending its achievement of genuine self-determination, national independence and territorial integrity, demands the immediate and unconditional implementation of Security Council resolution 435 (1978) of 29 September 1978 and calls upon all States, intergovernmental organizations, private institutions and non-governmental organizations to make an active contribution to this aim. The Conference further calls upon all Governments and transnational corporations to implement Decree No. 1 for the Protection of the Natural Resources of Namibia,<sup>9</sup> enacted by the United Nations Council for Namibia on 27 September 1974, and also calls for the implementation of the measures referred to in General Assembly resolution 37/233 C of 20 December 1982 on Namibia.

14. The Conference calls upon all States, intergovernmental organizations, private institutions and non-governmental organizations to continue to take all necessary measures to ensure the termination of all economic and financial collaboration with the racist régime of South Africa, as such assistance will contribute to the continuance of the policies of *apartheid*, and to refrain from taking any action that might imply recognition of or support for the illegal occupation of the Namibian territory by that régime. In this connection, the Conference cautions against unilateral attempts to relax the application of the sanctions already imposed by the Security Council.

15. The Conference urges the World Bank and the International Monetary Fund, as well as similar institutions, to refrain from extending any credits to the racist régime of South Africa.

#### B. EDUCATION, TEACHING AND TRAINING

16. The Conference calls upon all States to use effectively education, teaching and training to create a favourable atmosphere for the eradication of racism and racial discrimination. These media should serve as channels for exposing the myths and fallacies of theories, philosophies, ideas and attitudes that are inherent in discriminatory actions based on differences of race, colour, descent and national or ethnic origin. It is imperative for all States to apply strictly the principle of non-discrimination and equality in the matter of education, as set forth in the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization.<sup>5</sup> The Conference invites States:

(a) To examine history, geography and social studies textbooks with a view to correcting any erroneous assessment of historical and social data, or their unbalanced presentation, which could give rise to racial prejudice;

(b) To ensure that teachers are made conscious of the degree to which they may reflect the prejudices of their society and are instructed to avoid such prejudices;

(c) To provide adequate opportunities in schools and institutions of higher learning for the study of the activities of the United Nations in combating racism, racial discrimination and *apartheid*;

(d) To provide pupils and students at all levels with access to literature and documentation on racism, racial discrimination and *apartheid*;

(e) To ensure that the composition of the teaching staff of institutions reflects, as far as possible, the racial and ethnic composition of the community; affirmative action programmes should be instituted to facilitate the hiring of teachers who represent the racial, ethnic and linguistic composition of the community;

(f) To make available the resources of schools and of teaching and training facilities to persons belonging to all population groups;

(g) To take remedial measures in instances where particular racial, ethnic, linguistic or other groups have had a history of being placed at a disadvantage because of their origin and where such a situation has contributed to a lower level of education and a lower standard of living for persons belonging to various population groups; this is the responsibility of society; it might necessitate special educational programmes at all levels of society;

(h) To make law enforcement agents aware in their training of the possibility that they may reflect the prejudices of their society;

(i) To ensure that school curricula promote a dialogue between persons belonging to the various groups of the society; the curricula should be responsive to the needs and backgrounds of all these persons and foster, where possible, an interchange of cultural experience; in this regard, persons belonging to minority ethnic and racial groups should be allowed to introduce students to the practices and values of the respective cultures; efforts should also be made to allow the topic of human rights to permeate the curricula.

17. National institutions should inform the general public of the nature of their human rights as provided for in the existing international instruments directed towards combating racism, racial discrimination and *apartheid*, as well as in other instruments based on the principles contained in the Universal Declaration of Human Rights or as otherwise covered in national legislation. The general public should be advised by the national institutions on the means of enforcing their rights in accordance with national law. National institutions should ensure that persons are made aware of their own rights and those of others and should assist them in the matter of protecting and enforcing their rights. These institutions should mobilize public opinion in their countries against violations of human rights, especially gross and massive violations, in particular against the practice of *apartheid*, racism and genocide.

18. One of the fundamental objectives of programmes of education and scientific research undertaken in national institutions should be the elimination of racial discrimination and prejudice.

19. It is imperative that all States apply strictly the principle of non-discrimination and equality in the matter of education and adhere to the principles set forth in the Convention against Discrimination in Education.<sup>5</sup> It is important that the right to enter any school should be guaranteed to every child. The availability of special or supplementary education for children belonging to disadvantaged racial and ethnic groups may be appropriate in some cases for their development.

<sup>9</sup> Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex 11.

20. International agencies such as the United Nations Educational, Scientific and Cultural Organization should continue their work in the field of human rights education and promote such programmes on a continuing basis as guidelines for textbook analysis, teacher training, curriculum development and other undertakings and, in particular, should develop materials explaining how discrimination inherent in the system and institutionalized can be addressed through remedial programmes such as affirmative action plans.

21. As was recommended by the International Conference on *Apartheid* and Health, held at Brazzaville from 16 to 20 November 1981,<sup>10</sup> the World Health Organization should continue to implement the Plan of Action in favour of the victims of *apartheid*, in particular in the fields of health, education and training.

C. DISSEMINATION OF INFORMATION AND THE ROLE OF THE MASS MEDIA IN COMBATING RACISM AND RACIAL DISCRIMINATION

22. The mass media should play a vital role in disseminating information on methods and techniques used in combating racism, racial discrimination and *apartheid*. Taking into account the Declaration on fundamental principles concerning the contribution of the mass media to strengthening peace and international understanding, to the promotion of human rights and countering racialism, *apartheid* and incitement to war, adopted by the United Nations Educational, Scientific and Cultural Organization on 28 November 1978,<sup>11</sup> the mass media should regard it as their task, by disseminating information on the aims, aspirations, cultures and needs of all peoples, to contribute to eliminating ignorance and misunderstanding between peoples, to making nationals of a country sensitive to the needs and desires of others, to ensuring respect for the rights and dignity of all nations, all peoples and all individuals without distinction as to race, sex, language, religion or nationality and in that way to contribute to protecting them against the influence of any propaganda supporting racism and racist régimes.

23. The mass media should contribute to making the peoples more aware of the close link between the struggle against *apartheid* and all forms of racism and racial discrimination and the struggle for international peace and security, in accordance with the provisions of the above-mentioned Declaration.

24. Lack of self-expression through the mass media for persons belonging to racial and ethnic minorities in a society can often cause the mass media to become one-sided or distorted. Media of all kinds—radio, television, films, the press, advertising, booklets and public meetings—as well as traditional forms such as drama and story-telling could play a vital role.

25. Events and activities aimed at combating racism and racial discrimination should be given broad coverage by the media. Mention may be made of such activities as the coverage of conferences, seminars, workshops and round tables, as well as of meetings of United Nations organs dealing with a particular question, and the publication and wide distribution of pertinent resolutions and decisions of such bodies. Success stories in combating racial discrimination through legislation, executive action or community action programmes should be given publicity, and the negative and evil side of racism and racial discrimination highlighted. Comic strips, films and magazines for children and adults should be screened with a view to eliminating any form of racial stereotyping, whether favourable or unfavourable. Events having a racial aspect should be presented in their economic and social, cultural and political context; they should not be treated as mere news items.

26. The negative and positive influences exercised by the media in their role as information-conveyors, entertainers, educators and advertisers should be studied. In addition, the media should seek to raise public consciousness about the positive roles and achievements of racial and ethnic groups from all walks of life throughout history. Efforts should be made to produce radio and television programmes depicting the evils of racial discrimination in a vivid way—for example, by illustrating the plight of individual victims of racial discrimination. Such audio and visual presentations are likely to have great impact, particularly in areas where literacy is not widespread.

27. There should be adequate opportunity within the mass media for persons belonging to groups which are victims of discrimination to express their own points of view, particularly by producing programmes or reports themselves. In addition, persons belonging to such groups should have equal access to the professions within the mass media, especially journalism.

28. National institutions should publicize widely basic texts on the elimination of racism, racial discrimination and *apartheid*, as well as other human rights texts.

D. MEASURES FOR THE PROMOTION AND PROTECTION OF THE HUMAN RIGHTS OF PERSONS BELONGING TO MINORITY GROUPS, INDIGENOUS POPULATIONS AND PEOPLES AND MIGRANT WORKERS WHO ARE SUBJECTED TO RACIAL DISCRIMINATION

29. Throughout the various regions of the world there is a diversity of peoples, cultures, traditions and religions that encompasses, in many instances, various minority groups. There is a need for constant effort and continued vigilance on the part of all Governments to obviate any form of discrimination based on race, colour, descent or national or ethnic origin, in accordance with article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination.<sup>2</sup>

30. National and local institutions, as adapted to the needs and conditions of each country, can play an important role in the promotion and protection of human rights, in the prevention of discrimination and the protection of the rights of persons belonging to national and ethnic minorities, of indigenous populations and of refugees. Such national and local institutions could be of varying types, including judicial, administrative, conciliatory, social and educational. Any or all of these types of institutions could be utilized by individual countries according to their own circumstances and needs.

31. In the area of legislation, Governments should abolish and prohibit any discrimination within their jurisdiction. Such legislation should seek to promote and protect the human rights of persons belonging to minority groups, in accordance with the Universal Declaration of Human Rights,<sup>1</sup> the International Covenant on Civil and Political Rights,<sup>12</sup> the International Convention on the Elimination of All Forms of Racial Discrimination<sup>2</sup> and other relevant international instruments. Persons belonging to minorities should enjoy all human rights and fundamental freedoms without any discrimination as to national or ethnic origin, language, religion or sex.

32. Governments should create favourable conditions and take measures that will enable persons belonging to national or ethnic minorities within their jurisdiction to express their characteristics freely and to develop their education, culture, language, traditions and customs and to participate on a non-discriminatory and equitable basis in the cultural, social, economic and political life of the country in which they live. In maintaining their culture and traditions such persons should be in a position to develop the necessary contacts inside and outside their country, with due respect for the sovereignty, territorial integrity and political independence of the States concerned and for the principle of non-interference by one State in the internal affairs of another State.

33. States should undertake to combat the causes of inter-group antagonism by adopting concrete measures designed to promote understanding, co-operation and harmonious relations among members of population groups. Where tension and friction exist, their elimination cannot be achieved if the realities of political, economic, cultural, religious and linguistic differences between the various components of the society concerned are not taken into account.

34. With respect to indigenous populations, Governments should recognize and respect the basic rights of such populations:

(a) To call themselves by their proper name and to express freely their own identity;

(b) To have official status and to form their own representative organizations;

(c) To maintain within the areas where they live their traditional economic structure and way of life; this should in no way affect their right to participate freely on an equal basis in the economic, social and political development of the country;

(d) To maintain and use their own language, wherever possible, for administration and education;

(e) To enjoy freedom of religion or belief;

(f) To have access to land and natural resources, particularly in the light of the fundamental importance of rights to land and natural resources to their traditions and aspirations;

<sup>10</sup> See *Apartheid and Health* (World Health Organization, Geneva, 1983), Part I.

<sup>11</sup> United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twentieth Session*, vol. 1, *Resolutions*, p. 100.

<sup>12</sup> Resolution 2200 A (XXI)

(g) To structure, conduct and control their own educational systems.

35. Indigenous populations should be free to manage their own affairs to the fullest practicable extent, and should be consulted in all matters concerning their interests and welfare, wherever possible through formal consultative arrangements. Special measures should be taken to remedy past dispossession, dispersal and systematic discrimination.

36. Funds should be made available by the national authorities for investments, the uses of which are to be determined with the participation of the indigenous populations themselves, in the economic life of the areas concerned, as well as in all spheres of cultural activity.

37. Governments should allow indigenous populations within their territories to develop cultural and social links with related or similar populations, taking into account the important role of international organizations or associations of indigenous populations, and with due respect for the sovereignty, territorial integrity and political independence of the countries in which indigenous populations live.

38. The Conference further urges States to facilitate and support the establishment of representative non-governmental international organizations for indigenous populations, through which they can share experiences and promote common interests. The Sub-Commission on Prevention of Discrimination and Protection of Minorities should ensure that the urgent work being carried out by its Working Group on Indigenous Populations is continued so that the complex issues involved can be analysed and appropriate measures taken at the international and national levels.

39. In view of the vulnerability of indigenous populations to discrimination and violations of their human rights, and of the gravity of the threat faced by indigenous populations in some parts of the world, Governments should pay close attention to situations in which the rights of indigenous populations may be violated or denied, in order to prevent such violations, which should be widely publicized as soon as they are detected.

40. States receiving migrant workers should eliminate all discriminatory practices against such workers and their families by giving them treatment no less favourable than that accorded to their own nationals. Host countries should eliminate from their legislation any type of legal or other provisions which may discriminate against migrant workers on the basis of their nationality. This should pertain, *inter alia*, to vocational training, the type of posts that migrants may occupy, the type of contracts accorded to migrant workers, their right to seek employment in any part of the country, regulations governing working conditions, trade-union activity and access to judicial and administrative tribunals to air grievances concerning discrimination. With a view to combating xenophobia, host countries should develop information campaigns in order to disseminate the idea of equality between nationals and migrant workers.

41. The following measures could also be undertaken by Governments to protect the rights of migrant workers:

(a) The General Assembly should complete, as soon as possible, the elaboration of an international convention on the protection of the rights of all migrant workers and their families; the Conference considers that the conclusion of this convention by the United Nations would constitute an important contribution to its endeavours to protect fundamental human rights, because the convention would be added to the other instruments protecting these rights; the Conference recommends, pending the conclusions of the above-mentioned convention, that a joint consultative mechanism should be established in host countries with a view to contributing to good relations and mutual understanding;

(b) States should ratify, accede to and implement the international instruments aimed at protecting migrant workers from discrimination, including the relevant conventions of the International Labour Organisation;

(c) Migrant workers and members of their families should have the same rights as nationals of the State concerned as regards access to and treatment by the courts and tribunals;

(d) All migrant workers should enjoy treatment no less favourable than that accorded to nationals of the host State in respect of remuneration;

(e) Migrant workers should be ensured equal treatment with national workers in the field of social security, including the right to a retirement pension and similar social rights, while they have lawful residence in the host country;

(f) Host countries should be invited to co-operate with countries of origin to provide migrant workers and their families with the necessary

facilities in the fields of education and information to safeguard their cultural identity;

(g) The children of migrant workers should be enabled to receive education in their mother tongue and on different aspects of their cultural heritage with a view to preserving their national identity;

(h) The State of origin and the State of employment should co-operate, as far as possible, with a view to helping to create new job opportunities for migrant workers returning to the State of origin.

#### E. RECOURSE PROCEDURES FOR VICTIMS OF RACIAL DISCRIMINATION

42. The Conference invites States to take into account, within their domestic recourse procedures, the following considerations:

(a) Access to such procedures should be as broad as possible;

(b) Existing recourse procedures should be publicized within their respective jurisdictions, and victims of racial discrimination should be assisted in utilizing the procedures where appropriate;

(c) In each jurisdiction the rules relating to the initiation of complaints should be made simple and flexible and capable of being entertained in the language of the complainant;

(d) Complaints of racial discrimination should be dealt with as expeditiously as possible and there should be a reasonable time-limit with regard to the length of investigations;

(e) Indigent victims of racial discrimination should receive legal aid and assistance in prosecuting their complaint in civil or criminal proceedings, with the help of an interpreter when necessary.

43. Victims of racial discrimination should have the right to seek from tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

#### F. IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION AND OTHER RELATED INTERNATIONAL INSTRUMENTS

44. The Conference urges States which have not yet become parties to the International Convention on the Elimination of All Forms of Racial Discrimination<sup>2</sup> to do so as part of their contribution to the objectives of the Decade for Action to Combat Racism and Racial Discrimination and until such States ratify the Convention they should utilize its provisions as guidelines in combating racial discrimination and in securing the realization of the principles of equality at both the national and international levels. The Conference calls upon States parties to the Convention to consider the possibility of making the Declaration provided for in article 14 of the Convention.

45. Those States should enact, as a matter of the highest priority, appropriate legislation and other suitable measures to prohibit and bring to an end racial discrimination, to abrogate, amend, rescind or nullify any policies or regulations that have the effect of creating or perpetuating racial hatred and to declare the dissemination of ideas based on racial superiority and hatred to be an offence punishable by law, taking duly into account the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination.

46. The Conference also appeals to States which have not yet done so to consider ratifying or acceding to as soon as possible other relevant international instruments adopted under the aegis of the United Nations and of the specialized agencies, such as the Convention on the Prevention and Punishment of the Crime of Genocide,<sup>13</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>12</sup> the International Covenant on Civil and Political Rights,<sup>12</sup> the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity,<sup>14</sup> the International Convention on the Suppression and Punishment of the Crime of *Apartheid*,<sup>3</sup> the Convention concerning Discrimination in Respect of Employment and Occupation adopted by the International Labour Organisation on 25 June 1958,<sup>15</sup> the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization<sup>5</sup> and the Convention on the Elimination of All Forms of Discrimination against Women;<sup>4</sup> States are urged to comply with the reporting requirements called for by the relevant conventions.

#### G. NATIONAL LEGISLATION AND INSTITUTIONS

47. The Conference suggests that States that have not already done so should consider the urgent enactment, as a matter of the highest priority, of appropriate legislation and other suitable measures to prohibit and bring to an end racial discrimination, to abrogate, amend, rescind or nullify any

<sup>13</sup> Resolution 260 A (III).

<sup>14</sup> Resolution 2391 (XXIII).

<sup>15</sup> *International Labour Conventions and Recommendations, 1919-1981* (International Labour Office, Geneva, 1982), p. 47.

policies or regulations that have the effect of creating or perpetuating racial hatred and, with due regard to the principles embodied in the Universal Declaration of Human Rights,<sup>1</sup> the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,<sup>16</sup> the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, *Apartheid* and Incitement to War,<sup>11</sup> the Declaration on Race and Racial Prejudice adopted by the United Nations Educational, Scientific and Cultural Organization on 27 November 1978,<sup>17</sup> and the rights set forth in the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>2</sup> to declare the dissemination of ideas based on racial superiority and hatred to be an offence punishable by law.

48. The Conference calls upon all States that have not yet done so to take effective legislative and other measures, including in the field of penal law, to prevent the recruitment, use, financing and training, transit and transport of mercenaries, in particular when the aim is to assist racist régimes, and to punish such mercenaries as common criminals. The Conference urges the *Ad Hoc* Committee on the Drafting of an International Convention Against the Recruitment, Use, Financing and Training of Mercenaries, established by the General Assembly at its thirty-fifth session,<sup>18</sup> to complete, as soon as possible, the draft international convention.

49. The Conference urges all States to adopt strict legislation to declare any dissemination of ideas based on racial superiority or hatred to be an offence punishable by law and to prohibit organizations based on racial prejudice and hatred, including neo-Nazi and Fascist organizations, and private clubs and institutions established on the basis of racial criteria or propagating ideas of racial discrimination and *apartheid*.

50. With regard to national legislation, the Conference recommends that:

(a) Governments, where necessary, should guarantee non-discrimination on grounds of race and equal rights for all individuals in their constitutions and legislation;

(b) Governments, where necessary, should undertake to review and update all national legislation and remove from it any discriminatory provisions;

(c) Legislation should be consistent with international standards embodied in relevant international instruments;

(d) Victims of discrimination should be informed and advised of their rights, by all possible means, and given assistance in securing those rights;

(e) Governments should, where necessary, establish appropriate and effective mechanisms, including conciliation and mediation procedures and national commissions, to ensure that such legislation is enforced effectively and thereby to promote equality of opportunity and good race relations.

51. A system of regular review and appraisal should be continued to enable Member States, all organizations of the United Nations system, including relevant regional bodies, and non-governmental organizations, to assess the measures taken towards achieving the aims and objectives of the Decade.

52. Within the framework of their national legislation and policy, and according to their means, States should set up national institutions for the promotion and protection of human rights. Those institutions should study legal developments and review the laws and policies of the Government with a view to ensuring the elimination of all discriminatory laws, prejudices and practices based on race, sex, colour, descent and national and ethnic origin.

#### H. SEMINARS AND STUDIES

53. The Conference recommends that, in the context of future activities to combat racism and racial discrimination, consideration should be given to the organization of international and regional seminars on such subjects as:

(a) Political, historical, economic, social and cultural factors leading to racism, racial discrimination and *apartheid*;

(b) International assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and *apartheid*;

(c) Ways and means of denying support to racist régimes with a view to making them change their policies;

(d) The historical and current dimensions of tribalism;

(e) Main obstacles to the full eradication of racism, racial discrimination and *apartheid*;

(f) The human rights of persons belonging to ethnic groups in countries of immigration;

(g) Equality of treatment for persons belonging to ethnic and racial minorities and disadvantaged groups, such as indigenous populations;

(h) Community relations commissions and their functions.

54. The Conference also recommends that studies should be continued regarding ways and means of ensuring implementation of United Nations resolutions on *apartheid*, racism and racial discrimination. In particular, the Conference strongly encourages the United Nations Institute for Training and Research to continue to research, study and conduct seminars on racism and racial discrimination.

#### I. ACTION BY NON-GOVERNMENTAL ORGANIZATIONS

55. By virtue of their independent status, non-governmental organizations, individually and collectively, have an important contribution to make to the achievement of the objectives of the Decade for Action to Combat Racism and Racial Discrimination. Through various activities sponsored by them, non-governmental organizations can be effective in identifying and publicizing areas of racial discrimination which otherwise might not come to light and in helping to create greater practical understanding among young people of the importance of actively combating all forms of discrimination, in their own countries as well as in the international community.

56. Non-governmental organizations have the opportunity to create and sustain awareness among their members and in society at large of the evils of racism and racial discrimination. Such awareness can be transmitted from a national to an international organization with all the added benefits of the concrete experience of a particular country. Governments should therefore ensure that non-governmental organizations shall be enabled to function freely and openly within their societies and thus make an effective contribution to the elimination of racism and racial discrimination throughout the world.

#### J. INTERNATIONAL CO-OPERATION

57. In order to obtain the full promotion and protection of the human rights of individuals and peoples, it is necessary to intensify national, regional and international action aimed at combating and eliminating the causes of the policies and practices of racism, racial discrimination and *apartheid*.

58. The Conference underlines that the maintenance and strengthening of international co-operation and peace, the implementation of human rights and the combating of *apartheid* and racial discrimination are clearly linked. In order to improve mutual understanding among peoples, exchange visits should be increased and educational, cultural and scientific exchange programmes should be expanded. The free flow of information and ideas with respect to combating racism and racial discrimination should be ensured. The Conference calls on States to exchange information and ideas with respect to combating racism and racial discrimination.

59. The Conference calls upon the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be held in 1985, to contribute to the struggle against racism, racial discrimination and *apartheid* by recommending the adoption of measures aimed at ensuring the active participation of women in the struggle against those evils.

60. The Conference recommends that, in the context of International Youth Year, in 1985, the United Nations and the specialized agencies should undertake activities to encourage the effective contribution of youth to the struggle against racism, racial discrimination and *apartheid*.

61. The Conference calls upon all Governments and international organizations to make every effort to change the economic, political and social conditions on which policies and practices of racism, racial discrimination and *apartheid* are based and to give all their support to the victims of racism, racial discrimination and *apartheid*, and declares that the struggle against the remnants of colonialism and support of the liberation movements recognized by the regional organizations are worthy of particular attention.

62. Article 28 of the Universal Declaration of Human Rights<sup>1</sup> establishes that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized.

<sup>16</sup> Resolution 1904 (XVIII).

<sup>17</sup> United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twentieth Session*, vol. 1, *Resolutions*, p. 61.

<sup>18</sup> Resolution 35/48.

For this purpose, it is necessary to work for the establishment of a just and fair international order. The establishment of a new international economic order would be an important means of combating the causes which generate racism and racial discrimination.

63. National, regional and international action to combat and eliminate the causes of the policies and practices of racism, racial discrimination and *apartheid* should include measures aimed at improving the conditions of life of peoples and individuals in the economic, political, social and cultural spheres in order that the great inequalities now existing in the fields of employment, nutrition, health, housing and education, among others, may disappear. International development co-operation has an important role to play in securing the resources required by the developing countries to realize these objectives.

64. The Conference urges Governments, with the co-operation of the relevant international organizations, to consider adopting measures to guarantee, through special conventions or other provisions, asylum and transit facilities to those who desert from the armed forces of the racist régime in southern Africa on grounds of conscience or who are forced to leave because of their opposition to *apartheid*.

65. The Conference proclaims that the elimination of all forms of racial discrimination is a matter of high priority to the United Nations and the international community. It proclaims that racism and racial discrimination in all their manifestations are crimes against the conscience and dignity of mankind and must be eradicated by effective and concerted international action. The Conference pays tribute to the United Nations Educational, Scientific and Cultural Organization for its activities during the Decade to Combat Racism and Racial Discrimination and recommends that, within the framework of its Second Medium-term Plan (1984-1989), that organization should continue:

(a) Its work (studies and research) on the factors of influence in the maintenance, transmission and alteration of prejudices and on the causes and effects of the various forms of racism and racial and ethnic discrimination;

(b) Its efforts to ensure that all groups which suffer from discrimination in the fields of education, science, culture and information shall enjoy equal opportunities with others and that the members of such groups shall have full representation and shall be able to exercise their rights in those fields;

(c) Its programme on the appreciation of differing cultures and the promotion and recognition of the equality of cultures and peoples;

(d) Its research and studies on *apartheid*, and the widest possible dissemination of the results of its work.

66. In spite of the efforts of the international community at the national, regional and international levels during the Decade for Action to Combat Racism and Racial Discrimination, racism, racial discrimination and *apartheid* continue unabated and have shown no sign of diminishing. With a view to reaffirming its unalterable determination to mobilize maximum international pressure to attain the objectives of the Decade, the Conference strongly recommends that the General Assembly declare a Second Decade to Combat Racial Discrimination at the end of the current Decade in December 1983.

### 38/15. Second World Conference to Combat Racism and Racial Discrimination

*The General Assembly,*

*Recalling* its resolution 3057 (XXVIII) of 2 November 1973, by which it designated the ten-year period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination,

*Further recalling* its resolution 37/41 of 3 December 1982, by which it decided to convene the Second World Conference to Combat Racism and Racial Discrimination at Geneva from 1 to 12 August 1983,

*Taking note with appreciation of the Report of the Second World Conference to Combat Racism and Racial Discrimination*<sup>19</sup> as well as the report of the Secretary-General on the Conference,<sup>20</sup>

<sup>19</sup> United Nations publication, Sales No. E.83.XIV.4 and corrigendum.

<sup>20</sup> A/38/426.

<sup>21</sup> Resolution 2200 A (XXI), annex.

*Recalling* its resolution 38/14 of 22 November 1983, by which the General Assembly proclaimed the ten-year period beginning on 10 December 1983 the Second Decade to Combat Racism and Racial Discrimination,

1. *Expresses its satisfaction* at the serious and constructive work undertaken at the Second World Conference to Combat Racism and Racial Discrimination;

2. *Pays tribute* to the Secretary-General of the Conference for his efforts to promote the aims and objectives of the Conference;

3. *Expresses its firm determination* to continue in the future to attach the highest importance to combating racism and racial discrimination in all their forms;

4. *Appeals* to all Governments, United Nations organs, the specialized agencies and other intergovernmental organizations, as well as the concerned non-governmental organizations in consultative status with the Economic and Social Council, to participate in the observance of the Second Decade to Combat Racism and Racial Discrimination by intensifying and extending their efforts towards ensuring the rapid eradication of racism and racial discrimination;

5. *Decides* to consider at its thirty-ninth session concrete action to be undertaken during the Second Decade.

*66th plenary meeting  
22 November 1983*

### 38/16. Universal realization of the right of peoples to self-determination

*The General Assembly,*

*Reaffirming* the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,<sup>21</sup> as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

*Welcoming* the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

*Deeply concerned* at the continuation of acts or threats of foreign military intervention and occupation, which are threatening to suppress, or have already suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

*Further expressing grave concern* that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their conditions,

*Recalling* the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on

Human Rights at its thirty-sixth,<sup>22</sup> thirty-seventh,<sup>23</sup> thirty-eighth<sup>24</sup> and thirty-ninth<sup>25</sup> sessions,

*Reiterating* its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981 and 37/42 of 3 December 1982,

*Taking note* of the report of the Secretary-General,<sup>26</sup>

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention and occupation of foreign countries and territories, and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of these acts against the peoples concerned;

4. *Deplores* the plight of the millions of refugees and displaced persons who have been uprooted by the aforementioned acts and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this issue to the General Assembly at its thirty-ninth session under the item entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".

66th plenary meeting  
22 November 1983

**38/17. Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights**

*The General Assembly,*

*Reaffirming* its faith in the importance of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

*Reaffirming* the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the full enjoyment of all human rights,

*Reaffirming* the obligation of all Member States to comply with the principles of the Charter of the United Nations and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and foreign domination,

*Recalling* its resolutions 2649 (XXV) of 30 November 1970, 2955 (XXVII) of 12 December 1972, 3070 (XXVIII) of 30 November 1973, 3246 (XXIX) of 29 November 1974, 3382 (XXX) of 10 November 1975, 33/24 of 29 November 1978, 34/44 of 23 November 1979, 35/35 of 14 November 1980, 36/9 of 28 October 1981 and 37/43 of 3 December 1982, and Security Council resolutions 418 (1977) of 4 November 1977 and 421 (1977) of 9 December 1977,

*Recalling also* its resolutions 1514 (XV) of 14 December 1960, 2465 (XXIII) of 20 December 1968, 2708 (XXV) of 14 December 1970, 33/44 of 13 December 1978, 35/119 of 11 December 1980, 36/68 of 1 December 1981 and 37/35 of 23 November 1982 concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

*Recalling further* its resolutions 3103 (XXVIII) of 12 December 1973 and 3314 (XXIX) of 14 December 1974, as well as Security Council resolutions 405 (1977) of 14 April 1977, 419 (1977) of 24 November 1977, 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982, in which the United Nations condemned the recruiting and the use of mercenaries, in particular against developing countries and national liberation movements,

*Recalling further* its resolutions on the question of Namibia, in particular resolution ES-8/2 of 14 September 1981, and Security Council resolution 532 (1983) of 31 May 1983,

*Welcoming* the holding of the International Conference in Support of the Struggle of the Namibian People for Independence in Paris from 25 to 29 April 1983,<sup>27</sup>

*Welcoming also* the holding of the International Conference on the Alliance between South Africa and Israel at Vienna from 11 to 13 July 1983,<sup>28</sup>

*Recalling* resolutions AHG/Res.105 on Namibia, AHG/Res.111 on the policy of destabilization of the racist régime of South Africa and AHG/Res.112 on South Africa, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,<sup>29</sup>

*Recalling further* its resolution 37/1 of 1 October 1982 concerning its appeal for clemency on behalf of the freedom fighters of South Africa and Security Council resolution 533 (1983) of 7 June 1983 concerning the sentencing to death by South Africa of the three patriots of the African National Congress of South Africa,

*Reaffirming* that the system of *apartheid* imposed on the South African people constitutes a violation of the fundamental rights of that people, a crime against humanity and a constant threat to international peace and security,

*Gravely concerned* at the continuation of the illegal occupation of Namibia by South Africa and the continued violations of the human rights of the people in the territory and of the other peoples still under colonial domination and alien subjugation,

<sup>22</sup> See *Official Records of the Economic and Social Council, 1980, Supplement No. 3 (E/1980/13 and Corr.1), chap. XXVI, sect. A.*

<sup>23</sup> *Ibid.*, 1981, *Supplement No. 5 (E/1981/25 and Corr.1), chap. XXVIII, sect. A.*

<sup>24</sup> *Ibid.*, 1982, *Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.*

<sup>25</sup> *Ibid.*, 1983, *Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.*

<sup>26</sup> A/38/447 and Add.1 and 2.

<sup>27</sup> See A/CONF.120/13.

<sup>28</sup> See A/AC.115/L.595.

<sup>29</sup> See A/38/312, annex.

Recognizing that the so-called proposals for constitutional reform are an integral part of the policy of "bantustanization", which is incompatible with genuine independence, national unity and sovereignty and has the effect of perpetuating the power of the white minority and the racist system of *apartheid* in South Africa,

Deeply concerned at the continued terrorist acts of aggression committed by the Pretoria régime against independent African States in the region, in particular Angola, Botswana, Lesotho, Mozambique, Seychelles, Swaziland, Zambia and Zimbabwe,

Deeply indignant at the occupation of part of the territory of Angola by the troops of the racist régime of South Africa,

Recalling Security Council resolutions 527 (1982) of 15 December 1982 and 535 (1983) of 29 June 1983 on Lesotho,

Reaffirming the national unity and territorial integrity of the Comoros,

Recalling the Political Declaration adopted by the First Conference of Heads of State and Government of the Organization of African Unity and the League of Arab States, held at Cairo from 7 to 9 March 1977,<sup>30</sup>

Recalling further its relevant resolutions on the question of Palestine, in particular resolutions 3236 (XXIX) and 3237 (XXIX) of 22 November 1974, 36/120 of 10 December 1981, ES-7/6 of 19 August 1982 and 37/86 of 10 December 1982,

Recalling the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine,<sup>31</sup>

Considering that the denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine and the repeated acts of aggression by Israel against the people of the region constitute a serious threat to international peace and security,

Deeply shocked and alarmed at the deplorable consequences of the Israeli invasion of Lebanon and recalling all the relevant resolutions of the Security Council, in particular resolutions 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

1. Calls upon all States to implement fully and faithfully all the resolutions of the United Nations regarding the exercise of the right to self-determination and independence by peoples under colonial and foreign domination;

2. Reaffirms the legitimacy of the struggle of peoples for their independence, territorial integrity, national unity and liberation from colonial domination, *apartheid* and foreign occupation by all available means, including armed struggle;

3. Reaffirms the inalienable right of the Namibian people, the Palestinian people and all peoples under foreign and colonial domination to self-determination, national unity and sovereignty without foreign interference;

4. Strongly condemns those Governments that do not recognize the right to self-determination and independence of all peoples still under colonial domination and alien subjugation, notably the peoples of Africa and the Palestinian people;

5. Endorses the Paris Declaration on Namibia, adopted by the International Conference in Support of the Struggle of the Namibian People for Independence,<sup>27</sup> and

the Geneva Declaration on Palestine, adopted by the International Conference on the Question of Palestine,<sup>31</sup> as well as the Programmes of Action adopted by these Conferences, and calls for their immediate implementation;

6. Reaffirms its vigorous condemnation of the illegal occupation of Namibia by South Africa;

7. Condemns the policy of "bantustanization" and reiterates its support for the oppressed people of South Africa in its just and legitimate struggle against the racist minority régime of Pretoria;

8. Rejects the South African régime's so-called reforms, especially the limited parliamentary representation for Coloured people and Asians designed to undermine the unity of the oppressed people of South Africa and buttress the *apartheid* system;

9. Condemns South Africa for its increasing oppression of the Namibian people, for the massive militarization of the States in the region in order to destabilize them politically and to sabotage and destroy their economies;

10. Strongly condemns the establishment and use of armed terrorist groups by South Africa with a view to pitting them against the national liberation movements and destabilizing the legitimate Governments of southern Africa;

11. Strongly condemns the continued occupation of parts of southern Angola and the recent massive aggression carried out by South African troops against the village of Cangamba in the province of Moxico, 500 kilometres from the Namibian border, and demands the immediate and unconditional withdrawal of the South African troops from the Angolan territory;

12. Strongly reaffirms its solidarity with the independent African countries and national liberation movements that are victims of murderous acts of aggression and destabilization by the racist régime of Pretoria, and calls upon the international community to render increased assistance and support to these countries in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity and peacefully rebuild and develop;

13. Strongly condemns the recent bombing of Matola, a suburb of the capital of Mozambique, by South Africa and the acts of territorial encroachment and espionage against Mozambique, as well as the attack on 17 October 1983 against the Office of the African National Congress at Maputo, undertaken by the racist régime of Pretoria;

14. Reaffirms that the practice of using mercenaries against sovereign States and national liberation movements constitutes a criminal act and calls upon the Governments of all countries to enact legislation declaring the recruitment, financing and training of mercenaries in their territories and the transit of mercenaries through their territories to be punishable offences, and prohibiting their nationals from serving as mercenaries, and to report on such legislation to the Secretary-General;

15. Strongly condemns the continued violations of the human rights of the peoples still under colonial domination and alien subjugation, the continuation of the illegal occupation of Namibia, and South Africa's attempts to dismember its Territory, the perpetuation of the racist minority régime in southern Africa and the denial to the Palestinian people of their inalienable national rights;

<sup>30</sup> A/32/61, annex I.

<sup>31</sup> Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I.



16. *Further strongly condemns* the racist régime of Pretoria for its acts of destabilization, armed aggression and economic blockade against Lesotho and strongly urges the international community to extend maximum assistance to Lesotho to enable it to fulfil its international humanitarian obligations towards refugees and to use its influence on the racist régime to desist from its terrorist acts against Lesotho;

17. *Expresses its profound indignation* at the callous murder, on 9 June 1983, of the three freedom fighters of the African National Congress by the racist régime of South Africa, which committed the crime with flagrant indifference despite various appeals by the international community, thereby defying Security Council resolution 533 (1983);

18. *Takes note* of the Declaration of the International Conference on the Alliance between South Africa and Israel;<sup>32</sup>

19. *Strongly condemns* the policy of those Western States, Israel and other States whose political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime in South Africa encourage that régime to persist in its suppression of the aspirations of peoples to self-determination and independence;

20. *Again demands* the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977), by all countries and more particularly by those countries that maintain military and nuclear co-operation with the racist Pretoria régime and continue to supply it with related matériel;

21. *Takes note with satisfaction* of the Paris Declaration on Sanctions against South Africa, the Special Declaration on Namibia and the reports of the technical and political commissions, adopted by the International Conference on Sanctions against South Africa,<sup>33</sup> held under the auspices of the United Nations and the Organization of African Unity;

22. *Demands* the immediate implementation of its resolution ES-8/2 on Namibia;

23. *Urges* all States, specialized agencies, competent organizations of the United Nations system and other international organizations to extend their support to the Namibian people through its sole and legitimate representative, the South West Africa People's Organization, in its struggle to gain its right to self-determination and independence in accordance with the Charter of the United Nations;

24. *Reaffirms* the resolutions on the question of Western Sahara adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth and nineteenth ordinary sessions, held at Nairobi from 24 to 27 June 1981,<sup>34</sup> and at Addis Ababa from 6 to 12 June 1983,<sup>35</sup> and calls for their immediate implementation;

25. *Takes note* of the contacts between the Government of the Comoros and the Government of France in the search for a just solution to the problem of the integration of the Comorian island of Mayotte in the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on this question;

26. *Calls* for a substantial increase in all forms of assistance given by all States, United Nations organs, specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and apartheid

through their national liberation movements recognized by the Organization of African Unity;

27. *Strongly condemns* the increasingly widespread massacres of innocent and defenceless people, including women and children, by the racist minority Pretoria régime in its desperate attempt to thwart the legitimate demands of the people;

28. *Demands* the immediate release of women and children detained in Namibian and South African prisons;

29. *Strongly condemns* the constant and deliberate violations of the fundamental rights of the Palestinian people, as well as the expansionist activities of Israel in the Middle East, which constitute an obstacle to the achievement of self-determination and independence by the Palestinian people and a threat to peace and stability in the region;

30. *Further strongly condemns* the massacre of Palestinians and other civilians at Beirut and the Israeli aggression against Lebanon, which endangers stability, peace and security in the region;

31. *Demands* the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and compliance with article 5 of the Universal Declaration of Human Rights,<sup>36</sup> under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

32. *Urges* all States, specialized agencies, competent organizations of the United Nations system and other international organizations to extend their support to the Palestinian people through its sole and legitimate representative, the Palestine Liberation Organization, in its struggle to regain its right to self-determination and independence in accordance with the Charter;

33. *Reiterates its satisfaction* at the material and other forms of assistance that peoples under colonial régimes continue to receive from Governments, organizations of the United Nations system and intergovernmental organizations and calls for a substantial increase in this assistance;

34. *Urges* all States, specialized agencies and other competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;

35. *Requests* the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle of oppressed peoples for the achievement of their self-determination and national independence and to report periodically to the General Assembly on his activities;

36. *Decides* to consider this item again at its thirty-ninth session on the basis of the reports that Governments, organizations of the United Nations system and intergovernmental and non-governmental organizations have been requested to submit concerning the strengthening of assistance to colonial territories and peoples.

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<sup>32</sup> A/38/311-S/15883, annex.

<sup>33</sup> Report of the International Conference on Sanctions against South Africa, Paris, 20-27 May 1981 (A/CONF.107/8), sect. X and annexes X and XI.

<sup>34</sup> A/36/534, annex II, resolution AHG/Res.103 (XVIII).

<sup>35</sup> A/38/312, annex, resolution AHG/Res.104 (XIX).

<sup>36</sup> Resolution 217 A (III).

### 38/18. Status of the International Convention on the Elimination of All Forms of Racial Discrimination

*The General Assembly,*

Recalling its resolutions 3057 (XXVIII) of 2 November 1973, 3135 (XXVIII) of 14 December 1973, 3225 (XXIX) of 6 November 1974, 3381 (XXX) of 10 November 1975, 31/79 of 13 December 1976, 32/11 of 7 November 1977, 33/101 of 16 December 1978, 34/26 of 15 November 1979, 35/38 of 25 November 1980, 36/11 of 28 October 1981 and 37/45 of 3 December 1982,

Expressing its satisfaction at the entry into force, on 3 December 1982, of the competence of the Committee on the Elimination of Racial Discrimination to accept and to examine communications from persons or groups of persons under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>37</sup>

1. Takes note of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;<sup>38</sup>

2. Expresses its satisfaction at the increase in the number of States that have ratified the Convention or acceded thereto;

3. Reaffirms once again its conviction that ratification of or accession to the Convention on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Decade for Action to Combat Racism and Racial Discrimination;<sup>39</sup>

4. Requests those States that have not yet become parties to the Convention to ratify it or accede thereto;

5. Calls upon States parties to the Convention to consider the possibility of making the declaration provided for in article 14 of the Convention;

6. Requests the Secretary-General to continue to submit to the General Assembly annual reports concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.

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### 38/19. Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

*The General Assembly,*

Recalling its resolution 3068 (XXVIII) of 30 November 1973, by which it adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid, and its subsequent resolutions on the status of the Convention,

Reaffirming its conviction that apartheid constitutes a total negation of the purposes and principles of the Charter of the United Nations, a gross violation of human rights and a crime against humanity, seriously threatening international peace and security,

Convinced that the Declaration and the Programme of Action adopted by the Second World Conference to Combat Racism and Racial Discrimination<sup>40</sup> and their full implementation will contribute to the final eradication of apartheid and all other forms of racism and racial discrimination,

Strongly condemning South Africa's continued policy of apartheid and its continued illegal occupation of Namibia, as well as its repeated acts of aggression against sovereign African States, which constitute a manifest breach of international peace and security,

Condemning the continued collaboration of certain States and transnational corporations with the racist régime of South Africa in the political, economic, military and other fields as an encouragement to the intensification of its odious policy of apartheid,

Underlining that the strengthening of the existing mandatory arms embargo and the application of comprehensive mandatory economic sanctions under Chapter VII of the Charter are vital in order to compel the racist régime of South Africa to abandon its policy of apartheid,

Firmly convinced that the legitimate struggle of the oppressed peoples in southern Africa against apartheid, racism and colonialism and for the effective implementation of their inalienable right to self-determination and independence demands more than ever all necessary support by the international community and, in particular, further action by the Security Council,

Underlining that ratification of and accession to the Convention on a universal basis and the implementation of its provisions without any delay are necessary for its effectiveness and would be a useful contribution towards achieving the complete elimination of apartheid,

1. Takes note of the report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid;<sup>41</sup>

2. Commends those States parties to the Convention that have submitted their reports under article VII thereof;

3. Appeals once again to those States that have not yet done so to ratify or to accede to the Convention without further delay;

4. Expresses its appreciation of the constructive role played by the Group of Three of the Commission on Human Rights, established in accordance with article IX of the Convention, in analysing the periodic reports of States and in publicizing the experience gained in the international struggle against the crime of apartheid;

5. Requests States parties to the Convention to take fully into account the guidelines prepared by the Group of Three;<sup>42</sup>

6. Calls upon all States parties to the Convention to implement fully article IV thereof by adopting legislative, judicial and administrative measures to prosecute, bring to trial and punish, in accordance with their jurisdiction, persons responsible for, or accused of, the acts enumerated in article II of the Convention;

7. Requests the Commission on Human Rights to continue to undertake the functions set out in article X of the Convention and invites the Commission to intensify, in co-operation with the Special Committee against Apartheid, its efforts to compile periodically the progressive list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention, as well as those against whom or which legal proceedings have been undertaken;

8. Requests the Secretary-General to distribute the above-mentioned list among all States parties to the Convention and all Member States and to bring such facts to

<sup>37</sup> Resolution 2106 A (XX), annex.

<sup>38</sup> A/38/390.

<sup>39</sup> See resolution 38/14 above.

<sup>40</sup> Report of the Second World Conference to Combat Racism and Racial Discrimination, Geneva, 1-12 August 1983 (United Nations publication Sales No. E.83.XIV.4 and corrigendum), chap. II.

<sup>41</sup> A/38/391.

<sup>42</sup> E/CN.4/1286, annex.

the attention of the public by all the means of mass communication;

9. *Appeals* to all States, United Nations organs, specialized agencies and international and national non-governmental organizations to step up their activities in enhancing public awareness by denouncing the crimes committed by the racist régime of South Africa;

10. *Requests* the Secretary-General to intensify his efforts, through appropriate channels, to disseminate information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention;

11. *Requests* the Secretary-General to include in his next annual report under General Assembly resolution 3380 (XXX) of 10 November 1975 a special section concerning the implementation of the Convention.

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### **38/20. Report of the Committee on the Elimination of Racial Discrimination: reporting obligations of States**

*The General Assembly,*

*Recalling* its resolution 37/44 of 3 December 1982,

*Mindful* of the obligation of all States parties to comply fully with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>43</sup> including the timely submission of periodic reports under article 9 of the Convention,

*Acknowledging once again* the burden which reporting obligations under international instruments place upon States parties, especially those with limited technical and administrative resources,

*Having examined* the report of the Secretary-General on the reporting obligations of States parties under the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant human rights instruments,<sup>44</sup>

*Noting* that the report of the Secretary-General emphasizes the interrelationship of the problems affecting the reporting system under various human rights instruments,

1. *Takes note with appreciation* of the report of the Secretary-General;<sup>44</sup>

2. *Requests* the Secretary-General to transmit his report, and an analytical summary of the records of the General Assembly's consideration thereof, to the ninth meeting of the States parties to the Convention on the Elimination of All Forms of Racial Discrimination for consideration;

3. *Invites* the Committee on the Elimination of Racial Discrimination to consider the analysis and recommendations contained in the report of the Secretary-General, taking into account the various suggestions made in the General Assembly and at the ninth meeting of the States parties to the Convention, and to transmit its views and recommendations to the Assembly at its thirty-ninth session.

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### **38/21. Report of the Committee on the Elimination of Racial Discrimination**

*The General Assembly,*

*Recalling* its resolutions 37/46 of 3 December 1982 on the report of the Committee on the Elimination of Racial Discrimination and 38/18 of 22 November 1983 on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>45</sup> as well as its other relevant resolutions on the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination,<sup>46</sup>

*Having considered* the report of the Committee on the Elimination of Racial Discrimination on its twenty-seventh and twenty-eighth sessions,<sup>47</sup> submitted under article 9, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination,

*Emphasizing* that it is important for the success of the struggle against all instances of racial discrimination, including vestiges and manifestations of racist ideologies wherever they exist, that all Member States be guided in their internal and foreign policies by the basic provisions of the Convention,

*Mindful* of the obligation of all States parties to comply fully with the provisions of the Convention,

*Welcoming* all States that have ratified or acceded to the Convention, including Namibia, which acceded to the Convention on 11 December 1982, represented by the United Nations Council for Namibia,

*Welcoming also* the continued co-operation of the Committee with the competent specialized agencies, especially with the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, and other United Nations bodies,

*Taking note* of the decisions adopted and the recommendations made by the Committee at its twenty-seventh and twenty-eighth sessions,

1. *Takes note with appreciation* of the report of the Committee on the Elimination of Racial Discrimination on its twenty-seventh and twenty-eighth sessions;

2. *Commends* the Committee for its contribution to the elimination of all forms of discrimination based on race, colour, descent, or national or ethnic origin, wherever it exists;

3. *Strongly condemns* the policy of *apartheid* in South Africa and Namibia as the most abhorrent form of racial discrimination and urges all Member States to adopt effective political, economic and other measures in order to secure the elimination of that policy and to achieve the full implementation of the relevant resolutions of the General Assembly, the Security Council and other United Nations bodies;

4. *Calls upon* the United Nations bodies concerned to ensure that the Committee is supplied with all relevant information on all the Territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applies and urges the administering Powers to co-operate with these bodies by providing all the necessary information in order to enable the Committee to discharge fully its responsibilities under article 15 of the International Convention on the Elimination of All Forms of Racial Discrimination;

5. *Commends* the Committee for its continuous endeavours towards the elimination of the policy of *apartheid*, racism and racial discrimination in southern

<sup>43</sup> Resolution 2106 A (XX), annex.

<sup>44</sup> A/38/393.

<sup>45</sup> Resolution 2106 A (XX), annex.

<sup>46</sup> Resolution 3057 (XXVIII), annex.

<sup>47</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 18 (A/38/18).*

Africa and the implementation of the United Nations resolutions relating to the liberation and independence of Namibia;

6. *Welcomes* the efforts of the Committee aimed at the elimination of all forms of discrimination against national or ethnic minorities, persons belonging to such minorities and indigenous populations, wherever such discrimination exists, and the attainment of the full enjoyment of their human rights through the implementation of the principles and provisions of the Convention;

7. *Welcomes further* the efforts of the Committee aimed at the elimination of all forms of discrimination against migrant workers and their families, the promotion of their rights on a non-discriminatory basis and the achievement of their full equality, including the freedom to maintain their cultural characteristics;

8. *Calls upon* all Member States to adopt effective legislative, socio-economic and other necessary measures in order to ensure the prevention or elimination of discrimination based on race, colour, descent or national or ethnic origin;

9. *Further calls upon* the States parties to the Convention to protect fully, by the adoption of the relevant legislative and other measures, in conformity with the Convention, the rights of national or ethnic minorities and persons belonging to such minorities, as well as the rights of indigenous populations;

10. *Commends* the States parties to the Convention on the measures taken to ensure, within their jurisdiction, the availability of appropriate recourse procedures for the victims of racial discrimination;

11. *Reiterates its invitation* to the States parties to the Convention to provide the Committee, in accordance with its general guidelines, with information on the implementation of the provisions of the Convention, including information on the demographic composition of their population and on their relations with the racist régime of South Africa;

12. *Takes note with appreciation* of the contribution of the Committee towards the achievement of the goals of the Decade to Combat Racism and Racial Discrimination,<sup>48</sup> as well as its contribution to the Second World Conference to Combat Racism and Racial Discrimination in preparing studies on the implementation of particular articles of the Convention;

13. *Appeals* to the States parties to take fully into consideration their obligation under the Convention to submit their reports in due time.

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### 38/22. International Youth Year: Participation, Development, Peace

*The General Assembly,*

*Recalling* its resolutions 34/151 of 17 December 1979, 35/126 of 11 December 1980, 36/28 of 13 November 1981 and 37/48 of 3 December 1982,

*Recognizing* the profound importance of the direct participation of youth in shaping the future of mankind and the valuable contribution that youth can make in the implementation of the new international economic order based on equity and justice,

*Considering* it necessary to disseminate among youth the ideals of peace, respect for human rights and funda-

mental freedoms, human solidarity and dedication to the objectives of progress and development,

*Convinced* of the imperative need to harness the energies, enthusiasms and creative abilities of youth to the tasks of nation-building, the struggle for self-determination and national independence, in accordance with the Charter of the United Nations, against foreign domination and occupation, and for the economic, social and cultural advancement of peoples, the implementation of the new international economic order, the preservation of world peace and the promotion of international co-operation and understanding,

*Emphasizing again* that the United Nations should pay more attention to the role of young people in the world of today and to their demands for the world of tomorrow,

*Recalling* the topicality of assessing the needs and aspirations of youth, and reaffirming the importance of current and projected United Nations activities designed to increase the opportunities for youth and for its active participation in national development activities,

*Believing* that it is urgently desirable to intensify the efforts of all States in carrying out specific programmes concerning youth and to improve the activities of the United Nations and the specialized agencies in the field of youth, including youth exchanges in the cultural, sporting and other fields,

*Reaffirming* the importance of better co-ordination of efforts in dealing with specific problems confronting young people and in examining the manner in which those problems are being treated by the specialized agencies and by various United Nations bodies,

*Aware* of the valuable contribution which the United Nations Educational, Scientific and Cultural Organization is making to the promotion of international co-operation in the field of youth,

*Convinced* that the preparation for and observance in 1985 of the International Youth Year with the motto "Participation, Development, Peace" will offer a useful and significant opportunity for drawing attention to the situation and specific needs and aspirations of youth, for increasing co-operation at all levels in dealing with youth issues, for undertaking concerted action programmes in favour of youth and for involving young people in the study and resolution of major national, regional and international problems.

*Confident* that the International Youth Year will serve to mobilize efforts at the local, national, regional and international levels in order to promote the best educational, professional and living conditions for young people, to ensure their active participation in the overall development of society and to encourage the preparation of new national and local policies and programmes, in accordance with each country's experience, conditions and priorities,

*Recognizing* that the preparation for and observance of the International Youth Year will contribute to the reaffirmation of the goals of the new international economic order and to the implementation of the International Development Strategy for the Third United Nations Development Decade,<sup>49</sup>

*Recalling also* in this connection its decision 35/424 of 5 December 1980 and Economic and Social Council resolution 1980/67 of 25 July 1980 on the question of guidelines for international years and anniversaries,

*Aware* that, for the International Youth Year to be successful and to maximize its impact and practical efficiency, adequate preparation and the widespread support of Governments, all specialized agencies, international intergov-

<sup>48</sup> See resolution 38/14 above.

<sup>49</sup> Resolution 35/46, annex.

ernmental and non-governmental organizations and the public will be required.

*Recognizing* the important role of United Nations bodies, the specialized agencies and the regional commissions in promoting international co-operation in the field of youth and the necessity of strengthening their role in the effective implementation of the Specific Programme of Measures and Activities to be undertaken prior to and during the International Youth Year,<sup>50</sup>

1. *Takes note* of the report of the Secretary-General on the implementation of General Assembly resolution 37/48;<sup>51</sup>

2. *Commends* the five regional meetings devoted to the International Youth Year held during 1983 and requests the Secretary-General to bring the regional plans of action and the recommendations adopted by the regional meetings to the notice of all States with a view to their implementation;

3. *Again invites* all States that have not already done so to establish national co-ordinating committees or other forms of co-ordination for the International Youth Year;

4. *Stresses again* the importance of active and direct participation of youth organizations in the activities organized at the local, national, regional and international levels for the preparation for and observance of the International Youth Year;

5. *Requests* the Secretary-General to use all means at his disposal, within existing resources, to ensure the implementation of and follow-up to the Specific Programme of Measures and Activities to be undertaken prior to and during the International Youth Year, including the provision of information;

6. *Decides* that the third session of the Advisory Committee for the International Youth Year shall be convened at Vienna from 2 to 11 April 1984;

7. *Requests* the Advisory Committee to make every effort to implement the tasks entrusted to it by decisions of the General Assembly and by recommendations of the five regional meetings devoted to the International Youth Year and to submit the report on its third session to the General Assembly at its thirty-ninth session with practical proposals on specific ways and means for the observance, in 1985, of the International Youth Year in an appropriate organizational framework within the United Nations;

8. *Requests* the Secretary-General to continue to take concrete measures, within existing resources, using all the communications media at his disposal, to give widespread publicity to the activities of the United Nations system in the field of youth and to increase the dissemination of information on youth;

9. *Welcomes* the voluntary contributions made so far for the International Youth Year, expresses its appreciation to all contributors and again appeals to all States, to international governmental and non-governmental organizations and to the public to make in due time generous voluntary contributions to supplement funds provided under the regular budget of the United Nations for the costs of the Specific Programme of Measures and Activities and requests the Secretary-General to take all appropriate measures for obtaining such voluntary contributions;

10. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "International Youth

Year: Participation, Development, Peace" and to grant it high priority.

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**38/23. Efforts and measures for securing the implementation and the enjoyment by youth of human rights, particularly the right to education and to work**

*The General Assembly,*

*Recalling* its resolutions 36/29 of 13 November 1981 and 37/49 of 3 December 1982, in which it, *inter alia*, recognized the need to adopt appropriate measures for securing the implementation and the enjoyment by youth of human rights, particularly the right to education and to work,

*Recalling also* its resolution 34/151 of 17 December 1979, by which it decided to designate 1985 as International Youth Year: Participation, Development, Peace,

*Convinced* that it is necessary to ensure full enjoyment by youth of the rights stipulated in the Universal Declaration of Human Rights,<sup>52</sup> the International Covenant on Economic, Social and Cultural Rights<sup>53</sup> and the International Covenant on Civil and Political Rights,<sup>53</sup> with special regard for the right to education and to work,

*Aware* of the fact that insufficient education and the unemployment of young people limits their ability to participate in the development process, and, in this regard, emphasizing the importance of the secondary and higher education of young people, as well as of access for them to appropriate technical, vocational guidance and training programmes,

*Expressing its serious interest* in the success of the International Youth Year which should, *inter alia*, promote increasing participation of young people in the socio-economic life of their country,

1. *Calls upon* all States, all governmental and non-governmental organizations and the interested bodies of the United Nations and specialized agencies to pay continuous attention to the implementation of General Assembly resolutions 36/29 and 37/49 relating to efforts and measures aimed at the promotion of human rights and their enjoyment by youth, particularly the right to education and vocational training and to work, with a view to resolving the problem of youth unemployment;

2. *Requests* the Advisory Committee for the International Youth Year to give full attention to resolutions 36/29 and 37/49 and to all relevant international human rights instruments in the preparation for and in the course of the International Youth Year, in particular in elaborating its recommendations concerning the Year;

3. *Invites* national co-ordinating committees or other organs of co-ordination for the International Youth Year to give appropriate priority in activities to be undertaken prior to and during the Year to the implementation and the enjoyment by youth of human rights, particularly the right to education and to work.

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<sup>50</sup> A/36/215, annex, sect. IV, decision 1 (D).

<sup>51</sup> A/38/460 and Add.1.

<sup>52</sup> Resolution 217 A (III).

<sup>53</sup> Resolution 2200 A (XXI), annex.

**38/24. Popular participation in its various forms as an important factor in development and in the full realization of all human rights**

*The General Assembly,*

Recalling its resolutions 34/152 of 17 December 1979 and 37/55 of 3 December 1982.

Taking note of Economic and Social Council resolution 1983/31 of 27 May 1983 and of Commission on Human Rights resolution 1983/14 of 22 February 1983,<sup>54</sup>

Having considered the report of the Secretary-General on popular participation in its various forms as an important factor in development and in the realization of human rights,<sup>55</sup>

Recognizing that popular participation, including the participation of workers in management and workers' self-management in countries where they exist, constitutes an important factor of socio-economic development, as well as of respect for human rights and the dignity of the human person,

1. Takes note with appreciation of the report of the Secretary-General;

2. Invites those Governments, United Nations organs and specialized agencies that have not yet done so to transmit their comments and views to the Secretary-General, as called for in General Assembly resolution 37/55;

3. Requests the Commission on Human Rights to continue to consider at its fortieth session the question of popular participation in its various forms as an important factor in the full realization of all human rights;

4. Requests the Secretary-General to submit a report to the General Assembly at its fortieth session in order that progress made in this field may be reviewed, taking into account, *inter alia*, the consideration of this question by the Commission on Human Rights at its fortieth and forty-first sessions;

5. Decides to continue the consideration of this question at its fortieth session, in the context of the item relating to the world social situation, under the subitem entitled "Popular participation in its various forms as an important factor in development and in the full realization of all human rights".

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**38/25. National experience in achieving far-reaching social and economic changes for the purpose of social progress**

*The General Assembly,*

Guided by the desire to promote a higher standard of life, full employment and conditions for economic and social progress and development,

Bearing in mind the Declaration on Social Progress and Development,<sup>56</sup>

Mindful of the provisions of the Declaration and the Programme of Action on the Establishment of a New International Economic Order,<sup>57</sup> as well as the Charter of Economic Rights and Duties of States,<sup>58</sup>

Taking note once again of Economic and Social Council resolutions 1581 A (L) of 21 May 1971, 1667 (LII) of 1

June 1972 and 1746 (LIV) of 16 May 1973 concerning the importance of fundamental structural socio-economic changes for the strengthening of national independence and the achievement of the ultimate goals of social progress,

Recalling its resolutions 3273 (XXIX) of 10 December 1974, 31/38 of 30 November 1976 and 36/19 of 9 November 1981, in which it reaffirmed the importance for every State to exercise its inalienable right to carry out fundamental social and economic changes for the purpose of social progress and the necessity of studying national experience in this field.

Desirous of securing a speedy and complete removal of all obstacles to the economic and social progress of peoples, especially colonialism, neo-colonialism, racism, racial discrimination, *apartheid*, military, political and economic intervention and pressure, foreign aggression and occupation or alien domination, as well as all forms of inequality and exploitation of peoples,

Convinced that peaceful coexistence and co-operation among States, as well as effective measures in the field of disarmament, create favourable international conditions for the socio-economic development of all countries, in particular developing countries,

Desirous also of contributing to the implementation of the International Development Strategy for the Third United Nations Development Decade,<sup>59</sup>

1. Takes note of the report of the Secretary-General on national experience in achieving far-reaching social and economic changes for the purpose of social progress;<sup>60</sup>

2. Reaffirms the sovereign and inalienable right of every State to choose its economic and social system in accordance with the will of its people, without outside interference in whatever form it takes;

3. Requests the Secretary-General to make arrangements for holding in 1984 or 1985 an interregional seminar, as called for in paragraph 4 of General Assembly resolution 36/19, within the resources already requested for sectoral and regional advisory services in the proposed programme budget for the biennium 1984-1985;

4. Invites Member States to submit to the Secretary-General reports on their national experience in achieving far-reaching social and economic changes for the purpose of social progress;

5. Also requests the Secretary-General to prepare, in consultation with Member States, a further report on national experience in achieving far-reaching social and economic changes for the purpose of social progress, taking into account the provisions of General Assembly resolution 36/19, and to submit it to the Assembly at its fortieth session, through the Commission for Social Development and the Economic and Social Council;

6. Decides to include in the provisional agenda of its fortieth session the item entitled "National experience in achieving far-reaching social and economic changes for the purpose of social progress".

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<sup>54</sup> See *Official Records of the Economic and Social Council, 1983, Supplement No. 3* (E/1983/13 and Corr.1), chap. XXVII, sect. A.

<sup>55</sup> A/38/338 and Corr.1 and Add.1-4 and Add.4/Corr.1.

<sup>56</sup> Resolution 2542 (XXIV), annex.

<sup>57</sup> Resolutions 3201 (S-VI) and 3202 (S-VI)

<sup>58</sup> Resolution 3281 (XXIX).

<sup>59</sup> Resolution 35/56, annex.

<sup>60</sup> A/38/64 and Add.1

### 38/26. Channels of communication between the United Nations and youth and youth organizations

*The General Assembly,*

*Recalling* its resolutions 32/135 of 16 December 1977 and 36/17 of 9 November 1981, in which it adopted guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations, and its resolution 37/50 of 3 December 1982,

*Bearing in mind* the importance of the existence of effective channels of communication between the United Nations and youth and youth organizations for the proper information of young people and their effective participation in the work of the United Nations and the specialized agencies at the national, regional and international levels,

*Taking note* of the report of the Secretary-General,<sup>61</sup>

*Also taking note* of the efforts in inter-agency co-operation to promote and strengthen channels of communication between the United Nations and youth and youth organizations within the context of the International Youth Year,

*Convinced* that the existence and proper functioning of channels of communication between the United Nations and youth and youth organizations form a basic prerequisite of the active involvement of young people and thus of the successful preparation for, observance of and follow-up to the International Youth Year at all levels,

1. *Requests* the Secretary-General to continue to give full co-operation and support to inter-agency co-operation and co-ordination in promotional and information activities within the context of the International Youth Year;

2. *Calls upon* Member States, specialized agencies and other intergovernmental organizations, in co-operation with youth and with youth organizations in consultative status with the Economic and Social Council and other youth organizations concerned, to continue to promote actively the full and effective implementation of the guidelines and additional guidelines adopted by the General Assembly in its resolutions 32/135 and 36/17, in particular through informing young people of relevant policies and programmes and encouraging them to participate in the preparation and implementation of these policies and programmes;

3. *Requests* the Advisory Committee for the International Youth Year at its third session to monitor and evaluate the measures taken with respect to the implementation of the guidelines on the basis of the relevant reports of the Secretary-General and other relevant information provided to it and to make recommendations for the full and effective implementation and the further elaboration of the guidelines as an integral part of the preparation for, observance of and follow-up to the International Youth Year;

4. *Decides* to review at its thirty-ninth session the question of the channels of communication between the United Nations and youth and youth organizations, on the basis of the report of the Advisory Committee for the International Youth Year.

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<sup>61</sup> A/38/339.

<sup>62</sup> See *Report of the World Assembly on Aging, Vienna, 26 July-6 August 1982* (United Nations publication, Sales No. E.82.I.16), chap. VI, sect. A.

### 38/27. Question of aging

*The General Assembly,*

*Reaffirming* its resolution 37/51 of 3 December 1982, in which it endorsed the International Plan of Action on Aging<sup>62</sup> adopted by the World Assembly on Aging, and called upon Governments and the Secretary-General to make continuous efforts to implement the principles and recommendations of the Plan of Action,

*Recalling* Economic and Social Council resolution 1981/87 of 25 November 1981, in which the Council decided to convene in 1984 an International Conference on Population, and also recalling the International Plan of Action on Aging, in which it is acknowledged that aging is a population issue that affects development and requires increasing international assistance and co-operation,

*Recognizing* the significant contributions of the World Assembly on Aging and the United Nations Trust Fund for the World Assembly on Aging in the promotion and strengthening of international co-operation in this field,

*Conscious* of the positive response of many countries to the World Assembly on Aging and to the recommendations contained in the Plan of Action and of the need to provide national authorities, at their request, with assistance in their efforts to implement the Plan,

*Noting with satisfaction* that many Governments have retained or established national mechanisms to facilitate the planning, implementation and co-ordination of the activities recommended in the Plan of Action,

*Recognizing* the role played by the United Nations and the specialized agencies through their efforts in the field of aging and the need to strengthen this role, especially at the regional level, in order to ensure the implementation of the Plan of Action and the systematic and efficient functioning of the technical advisory and co-ordination services of the United Nations,

*Acknowledging* the role played by the international network of existing information, research and training centres in exchanging information and experience at the international level and in stimulating progress and encouraging the adoption of measures to respond to the economic and social implications of the aging of populations and to meet the needs of older persons,

*Noting* that the relationship between aging and youth, particularly as it relates to intergenerational matters, is recognized in the Plan of Action,

*Recognizing* that women have a longer life expectancy than men and that they will increasingly constitute the majority of the older population,

1. *Takes note* of the report of the Secretary-General on the question of aging;<sup>63</sup>

2. *Affirms* that the question of aging should be considered in the context of economic development, political, social and cultural systems and social values and changes;

3. *Calls upon* Governments to continue to make efforts to implement the principles and recommendations contained in the International Plan of Action on Aging in accordance with the economic, social and cultural circumstances of each country;

4. *Invites* Governments to retain or establish, in a suitable form, mechanisms at the national level to promote the implementation of the Plan of Action;

5. *Urges* the Secretary-General to continue his efforts to ensure effective implementation of and follow-up action to the Plan of Action and to maintain the impetus gener-

<sup>63</sup> A. 38.470.

ated by the United Nations Trust Fund for the World Assembly on Aging at the national, regional and international levels:

6. *Requests* the Secretary-General to continue to promote the Trust Fund so as to assist countries in formulating and implementing policies and programmes for aging;
7. *Requests* the Secretary-General to continue his information exchange activities through, *inter alia*, the international network of existing information, research and training centres and to convene, using voluntary contributions, meetings of the members of this network, as appropriate, to strengthen these activities and to promote technical co-operation among developing countries;
8. *Urges* the Secretary-General to include advisory services to developing countries that request them in technical co-operation programmes, to the extent feasible under the funding of those programmes;
9. *Requests* the Secretary-General to ensure, as requested in the Plan of Action, that the question of the aging of populations is brought to the attention of the appropriate United Nations bodies responsible for the preparation of the International Conference on Population and that the question of aging is considered under the appropriate agenda items of the Conference itself;
10. *Also requests* the Secretary-General to continue to promote, in co-operation with the national committees concerned, joint activities in the field of aging and youth, particularly as they relate to intergenerational matters, especially during the International Youth Year, to be observed in 1985;
11. *Further requests* the Secretary-General to examine the gender-based difference in longevity and the impact of the increasing number and proportion of older women on living arrangements, income, health care and other support systems, and to bring the question of older women to the attention of the preparatory body for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be held in 1985, for its consideration;
12. *Urges* the United Nations Fund for Population Activities, in co-operation with all organizations responsible for international population assistance, to continue its assistance, within its mandate, in the field of aging, particularly in developing countries;
13. *Invites* the regional commissions to review the objectives of the Plan of Action and contribute to their realization and to organize and conduct the regional periodic review and appraisal of the Plan in co-ordination with that at the international level;
14. *Invites* the specialized agencies and other intergovernmental and non-governmental organizations concerned to continue to be actively involved, in a co-ordinated manner, in the implementation of the Plan of Action;
15. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the measures taken to implement the present resolution;
16. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Question of aging".

66th plenary meeting  
22 November 1983

### 38/28. Implementation of the World Programme of Action concerning Disabled Persons

*The General Assembly:*

*Recalling* its resolutions 32/133 of 16 December 1977 and 34/154 of 17 December 1979, in which it appealed to Member States to make generous voluntary contributions to the International Year of Disabled Persons,

*Recalling also* its resolution 36/77 of 8 December 1981, in which it welcomed the contributions made by Governments and private sources to the United Nations Trust Fund for the International Year of Disabled Persons and appealed for further voluntary contributions which would facilitate the follow-up to the Year,

*Deeply concerned* that no less than five hundred million persons are estimated to suffer from disability of one form or another, of whom four hundred million are estimated to be in developing countries,

*Convinced* that the International Year of Disabled Persons gave a genuine and meaningful impetus to activities related to the equalization of opportunities for disabled persons, as well as prevention and rehabilitation at all levels,

*Noting* the emergence of organizations of disabled persons in all parts of the world and their positive influence on the image and condition of persons with a disability,

*Desirous* of ensuring effective follow-up to the International Year of Disabled Persons and aware that, if this is to be achieved, Member States, organs, organizations and bodies of the United Nations system, non-governmental organizations and organizations of disabled persons must therefore be encouraged to continue the activities already undertaken and to initiate new programmes and activities,

*Stressing* that the primary responsibility for promoting effective measures for the prevention of disability, for rehabilitation and for the realization of the goals of "full participation" of disabled persons in social life and development and of "equality" rests with individual countries and that international action should be directed towards assisting and supporting such national efforts in this regard as consultative services in designing national plans and programmes in the field of disability prevention, rehabilitation and the equalization of opportunities for persons with disabilities.

*Reiterating its appreciation* to the Advisory Committee for the International Year of Disabled Persons for its work, in particular for its contribution to the formulation of the World Programme of Action concerning Disabled Persons,<sup>64</sup>

*Recalling* its resolution 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons,<sup>65</sup> in paragraph 157 of which it is stated that the Trust Fund established by the General Assembly for the International Year of Disabled Persons should be used to meet requests for assistance from developing countries and organizations of disabled persons and to further the implementation of the World Programme of Action and, in paragraph 158, it is indicated that, in general, there is a need to increase the flow of resources to developing countries to implement the objectives of the World Programme of Action, and that, therefore, the Secretary-General should explore new ways and means of raising funds and take the necessary follow-up measures for mobilizing resources, and that voluntary contributions from Governments and from private sources should be encouraged.

<sup>64</sup> See A/37/351/Add.1 and Corr.1, annex.

<sup>65</sup> *Ibid.*, sect. VIII, recommendation 1 (IV).



Recalling further its resolution 37/53 of 3 December 1982, by which it proclaimed the period 1983-1992 United Nations Decade of Disabled Persons as a long-term plan of action, on the understanding that no additional resources from the United Nations system would be needed for this purpose, and encouraged Member States to utilize this period as one of the means to implement the World Programme of Action concerning Disabled Persons,

Concerned that developing countries are experiencing increasing difficulties in mobilizing adequate resources for meeting pressing needs in the field of disability prevention, rehabilitation and equalization of opportunities for the millions of persons with disabilities, in the face of pressing demands from other high-priority sectors concerned with basic needs,

Convinced that the United Nations Decade of Disabled Persons should give a strong impetus to the implementation of the World Programme of Action and to a broader understanding of its importance,

Taking note of Economic and Social Council resolution 1983/19 of 26 May 1983, in which the Secretary-General was requested to monitor and support the implementation of the World Programme of Action concerning Disabled Persons by enlisting extrabudgetary resources,

Noting with great appreciation the many generous voluntary contributions and pledges already made by Governments, organizations and individuals,

Taking note with appreciation of the report of the Secretary-General<sup>66</sup> concerning the results achieved so far by the United Nations Trust Fund for the International Year of Disabled Persons during the Year and its follow-up activities,

Recognizing that the Trust Fund is an important instrument for the implementation of the World Programme of Action,

1. Recognizes the desirability of the continuation of the United Nations Trust Fund for the International Year of Disabled Persons throughout the United Nations Decade of Disabled Persons for the benefit of disabled persons, particularly those in developing countries;

2. Decides that the Trust Fund should continue its activities pending a report by the Secretary-General to the General Assembly at its thirty-ninth session, which should include recommendations for the further implementation of the World Programme of Action concerning Disabled Persons, the funding of such activities by voluntary contributions, the possible terms of reference of a trust fund for the United Nations Decade of Disabled Persons, the implementation of the provisions contained in Assembly resolution 36/77 concerning the organization of support services for technical co-operation in favour of disabled persons, as well as the organization of task forces mentioned in Assembly resolution 37/53;

3. Stresses the need for the administration of the Trust Fund to continue to be carried out as an integral part of the substantive responsibilities for disability matters discharged by the Secretariat;

4. Recommends that the resources of the Trust Fund should be geared, within the framework of the United Nations Decade of Disabled Persons, towards the implementation of the World Programme of Action and towards helping persons with disabilities to organize themselves, towards assisting in implementing support and consultative services for technical co-operation and inter-organizational task forces, as mentioned in resolutions 36/

77 and 37/53, and towards strengthening the activities of the regional commissions in the field of disability prevention and the advancement of persons with disabilities;

5. Requests the Secretary-General to take the necessary steps to strengthen the Trust Fund and, to this effect, to enlist extrabudgetary resources as indicated in paragraph 158 of the World Programme of Action;<sup>65</sup>

6. Appeals to Governments and private sources for continuing generous voluntary contributions to the Trust Fund;

7. Calls upon all Member States, all non-governmental organizations concerned and organizations of disabled persons and also calls upon all organs, organizations and bodies of the United Nations system, through a reallocation of existing resources, to continue to ensure the early implementation of the World Programme of Action;

8. Requests the Secretary-General to include in his reports to the General Assembly on the implementation of the World Programme of Action a section on the activities of the Trust Fund.

66th plenary meeting  
22 November 1983

### 38/86. Measures to improve the situation and ensure the human rights and dignity of all migrant workers

The General Assembly,

Again reaffirming the permanent validity of the principles and standards embodied in the basic instruments regarding the international protection of human rights, in particular in the Universal Declaration of Human Rights,<sup>67</sup> the International Covenants on Human Rights,<sup>68</sup> the International Convention on the Elimination of All Forms of Racial Discrimination<sup>69</sup> and the Convention on the Elimination of All Forms of Discrimination against Women,<sup>70</sup>

Bearing in mind the principles and standards established within the framework of the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization, and the importance of the task carried out in connection with migrant workers and their families in other specialized agencies and in various organs of the United Nations,

Reiterating that, in spite of the existence of an already established body of principles and standards, there is a need to make further efforts to improve the situation and ensure the human rights and dignity of all migrant workers and their families,

Recalling its resolution 34/172 of 17 December 1979, by which it decided to establish a working group open to all Member States to elaborate an international convention on the protection of the rights of all migrant workers and their families,

Recalling also its resolutions 35/198 of 15 December 1980, 36/160 of 16 December 1981 and 37/170 of 17 December 1982, by which it renewed the mandate of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families and requested it to continue its work,

Having examined the progress made by the Working Group during its third inter-session meeting, held from 31 May to 10 June 1983,

<sup>66</sup> A/38/506.

<sup>67</sup> Resolution 217 A (III).

<sup>68</sup> Resolution 2200 A (XXI), annex.

<sup>69</sup> Resolution 2106 A (XX), annex.

<sup>70</sup> Resolution 34/180, annex.

Having also examined the reports of the Working Group during the current session of the General Assembly,<sup>71</sup>

1. Takes note of the reports of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families and expresses its satisfaction with the substantial progress that the Working Group has so far made in the accomplishment of its mandate;

2. Decides that, in order to enable it to complete its task as soon as possible, the Working Group shall again hold an inter-sessional meeting of two weeks' duration in New York, immediately after the first regular session of 1984 of the Economic and Social Council;

3. Invites the Secretary-General to transmit to Governments the reports of the Working Group so as to allow the members of the Group to continue their task during the inter-sessional meeting to be held in the spring of 1984, as well as to transmit the results obtained at that meeting in order that the General Assembly may consider them during its thirty-ninth session;

4. Also invites the Secretary-General to transmit the above-mentioned documents to the competent organs of the United Nations and to international organizations concerned, for their information, so as to enable them to continue their co-operation with the Working Group;

5. Decides that the Working Group shall meet during the thirty-ninth session of the General Assembly, preferably at the beginning of the session, to continue and, if possible, to complete the elaboration of an international convention on the protection of the rights of all migrant workers and their families.

100th plenary meeting  
16 December 1983

**38/87. Question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live**

*The General Assembly,*

Bearing in mind Economic and Social Council resolutions 1790 (LIV) of 18 May 1973 and 1871 (LVI) of 17 May 1974 concerning the question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live,

Recalling Commission on Human Rights resolutions 8 (XXIX) of 21 March 1973,<sup>72</sup> 11 (XXX) of 6 March 1974,<sup>73</sup> 16 (XXXV) of 14 March 1979<sup>74</sup> and 19 (XXXVI) of 29 February 1980<sup>75</sup> on the same subject,

Recalling also resolution 9 (XXXI) of 13 September 1978 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,<sup>76</sup>

Recalling that the Economic and Social Council, by its resolution 1980/29 of 2 May 1980, decided to transmit to the General Assembly at its thirty-fifth session the text of the draft declaration on the human rights of individuals who are not citizens of the country in which they live, prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and amended by the Sub-Commission,<sup>77</sup> together with the comments on the text received from Member

<sup>71</sup> A/C.3/38/1 and A/C.3/38/5.

<sup>72</sup> See *Official Records of the Economic and Social Council, Fifty-fourth Session, Supplement No. 6 (E/5265)*, chap. XX, sect. A.

<sup>73</sup> *Ibid.*, Fifty-sixth Session, Supplement No. 5 (E/5464), chap. XIX, sect. A.

<sup>74</sup> See *Official Records of the Economic and Social Council, 1979, Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

<sup>75</sup> *Ibid.*, 1980, Supplement No. 3 (E/1980/13 and Corr.1), chap. XXVI, sect. A.

States<sup>78</sup> in response to Council decision 1979/36 of 10 May 1979, and recommended that the Assembly should consider the adoption of a declaration on the subject,

Recalling also its resolutions 35/199 of 15 December 1980, 36/165 of 16 December 1981 and 37/169 of 17 December 1982, by which it decided to establish an open-ended working group for the purpose of concluding the elaboration of the draft declaration on the human rights of individuals who are not citizens of the country in which they live,

Having considered the comments submitted by Governments, specialized agencies, regional and intergovernmental organizations and the competent organs of the United Nations system pursuant to General Assembly resolution 37/169 on the reports of the open-ended working groups established at the thirty-fifth, thirty-sixth and thirty-seventh sessions of the Assembly,<sup>79</sup>

Having considered the report of the Working Group established for the purpose of concluding the elaboration of the draft declaration on the human rights of individuals who are not citizens of the country in which they live,<sup>80</sup>

1. Takes note of the report of the Working Group and of the fact that, although the Working Group has done useful work, it has not had sufficient time to conclude its task;

2. Decides to establish, at its thirty-ninth session, an open-ended working group for the purpose of concluding the elaboration of the draft declaration on the human rights of individuals who are not citizens of the country in which they live;

3. Expresses the hope that a draft declaration on the human rights of individuals who are not citizens of the country in which they live will be adopted by the General Assembly at its thirty-ninth session.

100th plenary meeting  
16 December 1983

**38/88. Assistance to refugees in Somalia<sup>81</sup>**

*The General Assembly,*

Recalling its resolutions 35/180 of 15 December 1980, 36/153 of 16 December 1981 and 37/174 of 17 December 1982 on the question of assistance to refugees in Somalia,

Recalling also Economic and Social Council resolutions 1981/31 of 6 May 1981 and 1982/4 of 27 April 1982,

Having considered the report of the United Nations High Commissioner for Refugees<sup>82</sup> on the conditions of the refugees in Somalia, particularly paragraph 6 of the report,

Deeply concerned that the refugee problem in Somalia has not yet been resolved,

Recognizing from the recommendations contained in the report of the High Commissioner that there remains an urgent need for increased assistance in the provision of food, water and medicines, the strengthening of health and educational facilities in the refugee camps, and the expansion of the number of self-help schemes and small-scale farming and fruit-growing projects necessary for the promotion of self-reliance among the refugees,

<sup>76</sup> See E/CN.4/1296, chap. XVII, sect. A.

<sup>77</sup> E/CN.4/1336.

<sup>78</sup> E/CN.4/1354 and Add.1-6.

<sup>79</sup> See A/38/147 and Add.1.

<sup>80</sup> A/C.3/38/11 and Corr.1.

<sup>81</sup> See also sect. V, resolution 38/216.

<sup>82</sup> A/38/400 and Corr.1.

*Noting* the decision of the Government of Somalia to facilitate a programme of local settlement of the refugees,

*Aware* of the consequences of the social and economic burden placed on the Government and people of Somalia as a result of the continued presence of refugees and the consequent impact on the national development and the infrastructure of the country,

1. *Takes note* of the report of the United Nations High Commissioner for Refugees;

2. *Expresses its appreciation* to the High Commissioner for his continued efforts to mobilize international assistance on behalf of the refugees in Somalia;

3. *Takes note with satisfaction* of the assistance rendered to refugees in Somalia by various Member States, the Office of the United Nations High Commissioner for Refugees, the World Food Programme, the United Nations Children's Fund and other concerned intergovernmental and non-governmental organizations;

4. *Appeals* to Member States, international organizations and voluntary agencies to render maximum material, financial and technical assistance to the Government of Somalia in its efforts to provide all necessary assistance to the refugees;

5. *Notes with satisfaction* the visit of the United Nations technical inter-agency mission to Somalia from 19 October to 9 November 1983 to review with the Government a comprehensive settlement programme for refugees who wish to be settled in the country;

6. *Notes* that the Government of Somalia will indicate to the Second International Conference on Assistance to Refugees in Africa, to be held at Geneva in July 1984, its additional needs for material and financial help to assist the refugees in that country;

7. *Requests* the High Commissioner to make a further comprehensive review of the overall needs of the refugees, taking into account those aspects relating to their rehabilitation and settlement;

8. *Also requests* the High Commissioner, in consultation with the Secretary-General, to apprise the Economic and Social Council, at its second regular session of 1984, of the proposed review of the refugee situation in Somalia;

9. *Further requests* the High Commissioner, in consultation with the Secretary-General, to submit a report to the General Assembly at its thirty-ninth session on the progress achieved in the implementation of the present resolution.

*100th plenary meeting  
16 December 1983*

### **38/89. Humanitarian assistance to refugees in Djibouti<sup>83</sup>**

*The General Assembly,*

*Recalling* its resolutions 35/182 of 15 December 1980, 36/156 of 16 December 1981 and 37/176 of 17 December 1982 on humanitarian assistance to refugees in Djibouti,

*Having heard* the statement made on 14 November 1983 by the United Nations High Commissioner for Refugees,<sup>84</sup>

*Having considered with satisfaction* the reports of the United Nations High Commissioner for Refugees on humanitarian assistance to refugees in Djibouti,<sup>85</sup>

*Appreciating* the determined efforts made by the Government of Djibouti, despite its limited economic resources, to cope with the pressing needs of the refugees,

*Aware* of the social and economic burden placed on the Government and people of Djibouti as a result of the presence of refugees and of the consequent impact on the development and infrastructure of the country,

*Deeply concerned* about the continuing plight of the refugees and displaced persons in the country, which has been aggravated by the devastating effects of the prolonged drought,

*Noting with appreciation* the steps taken by the Government of Djibouti, in close co-operation with the High Commissioner, to achieve adequate, appropriate and lasting solutions in respect of the refugees.

*Also noting with appreciation* the concern and unremitting efforts of the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme, the United Nations Children's Fund, the World Health Organization, the World Food Programme, the Food and Agriculture Organization of the United Nations, the intergovernmental and non-governmental organizations and the voluntary agencies which have worked closely with the Government of Djibouti in the relief and rehabilitation programme for the refugees in that country.

1. *Takes note with appreciation* of the reports of the United Nations High Commissioner for Refugees on humanitarian assistance to refugees in Djibouti;

2. *Appreciates* the efforts made by the High Commissioner to keep the situation of the refugees in Djibouti under constant review;

3. *Welcomes* the steps taken by the Government of Djibouti, in close co-operation with the High Commissioner, to achieve adequate, appropriate and lasting solutions in respect of the refugees in Djibouti;

4. *Calls upon* the High Commissioner to mobilize the necessary resources to implement lasting solutions in respect of the refugees in Djibouti;

5. *Urges* the High Commissioner to continue to take the necessary measures to ensure that adequate, appropriate and lasting solutions are achieved in respect of the refugees in Djibouti and to maintain close contact with the Member States, intergovernmental and non-governmental organizations and voluntary agencies concerned with a view to mobilizing the necessary assistance to enable the Government of Djibouti to cope effectively with the refugee situation, which has been aggravated by the debilitating effects of the prolonged drought;

6. *Appreciates* the assistance provided thus far by Member States, the specialized agencies, intergovernmental and non-governmental organizations and voluntary agencies to the relief and rehabilitation programmes for the refugees and displaced persons in Djibouti;

7. *Calls upon* all Member States, the organizations of the United Nations system, the specialized agencies, intergovernmental and non-governmental organizations and voluntary agencies to continue to support the efforts being made by the Government of Djibouti to cope with the current needs of the refugee population and the other victims of drought in that country;

8. *Requests* the High Commissioner, in close co-operation with the Secretary-General, to report to the

<sup>83</sup> See also sect. V, resolutions 38/213 and 38/216.

<sup>84</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Third Committee, 42nd meeting, paras. 28-37.*

<sup>85</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 12 (A/38/12 and Corr.1) and Supplement No. 12A (A/38/12/Add.1); and A/38/399 and Corr.1.*

General Assembly at its thirty-ninth session on the implementation of the present resolution.

*100th plenary meeting  
16 December 1983*

### 38/90. Situation of refugees in the Sudan<sup>86</sup>

*The General Assembly,*

*Recalling* its resolutions 35/181 of 15 December 1980, 36/158 of 16 December 1981 and 37/173 of 17 December 1982 on the situation of refugees in the Sudan,

*Having considered* the report of the Secretary-General on the situation of refugees in the Sudan,<sup>87</sup>

*Taking note* of the ever-increasing number of refugees arriving in the Sudan,

*Recognizing* the heavy burden placed on the Government of the Sudan and the sacrifices it is making in caring for the refugees and the need for adequate international assistance to enable it to continue its efforts to provide assistance to the refugees,

*Expressing its appreciation* for the assistance rendered to the Sudan by Member States and intergovernmental and non-governmental organizations in support of refugee programmes,

1. *Takes note* of the report of the Secretary-General and the recommendations of the inter-agency technical follow-up missions contained therein;

2. *Expresses its appreciation* to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and voluntary agencies for their efforts to assist the refugees in the Sudan;

3. *Commends* the efforts of the High Commissioner and the International Labour Office to create income-generating activities for refugees in the Sudan;<sup>88</sup>

4. *Appreciates* the measures which the Government of the Sudan is taking to provide shelter, food, education and health and other services to the refugees;

5. *Requests* the Secretary-General to mobilize the necessary financial and material assistance for the full implementation of the recommendations of the various inter-agency missions;

6. *Appeals* to Member States, the appropriate organs, organizations and programmes of the United Nations, other intergovernmental and non-governmental organizations and the international financial institutions to provide the Government of the Sudan with the necessary resources for the implementation of development assistance projects in regions affected by the presence of refugees, as envisaged in the reports of the various inter-agency missions, and to strengthen its social and economic infrastructure so that essential services and facilities for refugees can be strengthened and expanded;

7. *Requests* the High Commissioner to continue co-ordination with the appropriate specialized agencies in order to consolidate and ensure the continuation of essential services to the refugees in their settlements;

8. *Also requests* the High Commissioner, in co-operation with the Secretary-General, to submit a comprehensive report to the General Assembly at its thirty-ninth session on the progress made in the implementation of the recommendations of the inter-agency technical follow-up

missions as well as on the implementation of the present resolution.

*100th plenary meeting  
16 December 1983*

### 38/91. Assistance to displaced persons in Ethiopia<sup>86</sup>

*The General Assembly,*

*Recalling* its resolutions 35/91 of 5 December 1980, 36/161 of 16 December 1981 and 37/175 of 17 December 1982 and Economic and Social Council resolutions 1980/54 of 24 July 1980 and 1982/2 of 27 April 1982,

*Recalling also* the report of the Secretary-General on assistance to displaced persons in Ethiopia,<sup>89</sup> prepared pursuant to Economic and Social Council resolution 1980/8 of 28 April 1980.

*Taking note* of the report of the Secretary-General on assistance to displaced persons in Ethiopia,<sup>90</sup>

*Recalling further* the appeal of the Secretary-General contained in his note verbale of 11 November 1980 as well as those of the General Assembly and the Economic and Social Council,

*Having heard* the statement made on 14 November 1983 by the United Nations High Commissioner for Refugees,<sup>84</sup>

*Recognizing* the number of voluntary returnees in Ethiopia,

*Deeply concerned* that the repeated appeals of the Secretary-General, the General Assembly and the Economic and Social Council have yet to receive an adequate response,

*Aware* of the heavy burden placed on the Government of Ethiopia in caring for displaced persons and victims of natural disasters,

1. *Endorses once again* the appeals of the Secretary-General, the General Assembly and the Economic and Social Council concerning assistance to displaced persons and voluntary returnees in Ethiopia;

2. *Commends* the efforts made by various organs of the United Nations and the specialized agencies in mobilizing humanitarian assistance to the displaced persons and voluntary returnees in Ethiopia;

3. *Appeals once again* to the Governments of Member States and to intergovernmental and non-governmental organizations and all voluntary agencies to contribute generously to assist the Government of Ethiopia in its efforts to provide relief and rehabilitation to the displaced persons and voluntary returnees in Ethiopia;

4. *Requests* the United Nations High Commissioner for Refugees to intensify his efforts in mobilizing humanitarian assistance for the relief, rehabilitation and resettlement of numbers of voluntary returnees, as well as for displaced persons;

5. *Requests* the Secretary-General, in co-operation with the High Commissioner, to apprise the Economic and Social Council, at its second regular session of 1984, of the implementation of the present resolution and to report thereon to the General Assembly at its thirty-ninth session.

*100th plenary meeting  
16 December 1983*

<sup>86</sup> See also sect. V, resolution 38/216.

<sup>87</sup> A/38/427 and Corr.1.

<sup>88</sup> *Ibid.*, sect. III.

<sup>89</sup> A/35/360 and Corr 1-3.

<sup>90</sup> A/38/428 and Corr 1.

**38/92. United Nations Voluntary Fund for Victims of Torture**

*The General Assembly,*

Recalling article 5 of the Universal Declaration of Human Rights,<sup>91</sup> which states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>92</sup>

Recalling further its resolution 36/151 of 16 December 1981, in which it noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims of torture in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture,

Convinced that the struggle to eliminate torture includes the provision of assistance in a humanitarian spirit to the victims and their family members,

Taking note of the report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture,<sup>93</sup>

1. Expresses its gratitude and appreciation to those Governments and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;

2. Calls upon all Governments, organizations and individuals in a position to do so to respond favourably to requests for contributions to the Fund;

3. Expresses its appreciation to the Board of Trustees of the Fund for the work it has carried out;

4. Expresses its appreciation to the Secretary-General for the support given to the Board of Trustees;

5. Requests the Secretary-General to make use of all existing possibilities to assist the Board of Trustees of the Fund, *inter alia* through the preparation, production and dissemination of information materials, in its efforts to make the Fund and its humanitarian work better known and in its appeal for contributions.

*100th plenary meeting  
16 December 1983*

**38/93. Measures to improve co-ordination and co-operation in the international struggle against illegal production of drugs, illicit drug traffic and drug abuse**

*The General Assembly,*

Recalling its resolutions 36/168 of 16 December 1981, 37/168 of 17 December 1982 and 37/198 of 18 December 1982,

Recalling also that in paragraph 6 of its resolution 34/177 of 17 December 1979 it urged greater action by the specialized agencies and programmes of the United Nations system, especially the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the International Labour Organisation, the World Health Organization and the United Nations Development Programme, in developing and implementing, within their mandates, programmes aimed at the reduction of illicit production of and demand for drugs, and specifically requested those

agencies to make that activity a regular item on the agendas of their governing bodies.

Considering that the scourge of drug abuse continues to spread and has reached epidemic proportions, both in developed and in some developing countries,

Considering further that transit States, which have no control over the production of or demand for illicit drugs, are increasingly affected by the illicit drug traffic,

Recognizing that illegal production of drugs, illicit drug traffic and drug abuse are political, security, economic, social and medical problems, in both producing and consuming countries, which must be met with a comprehensive, effective and co-ordinated strategy on the national, regional and international levels,

Acknowledging that constraints of an economic and technical nature are obstacles to many developing countries in their fight against illegal drug cultivation and production, as well as illicit drug traffic and drug abuse,

Aware that the illegal production of drugs must be stopped and that integrated rural development programmes, including crop substitution, combined with control activities are effective measures to curb the production of illicit drugs,

Noting with appreciation the generous contributions made so far and recently pledged to the United Nations Fund for Drug Abuse Control, which should continue, considering the great needs in this field,

Aware of the need to improve regional, interregional and international co-operation and co-ordination in order to intensify the struggle against illegal production of drugs, illicit drug traffic and drug abuse,

Mindful of the decision taken by the Committee for Programme and Co-ordination at its twenty-third session to undertake at its twenty-fifth session, in 1985, an intergovernmental review of drug control on the basis of an in-depth evaluation study to be prepared by the Secretary-General,<sup>94</sup>

1. Calls upon Member States that have not yet done so to ratify the international drug control treaties and, until such time, to endeavour to abide by the provisions thereof;

2. Invites Member States to make generous contributions to the United Nations Fund for Drug Abuse Control to enable the Fund further to improve and strengthen its activities to reduce the illicit supply of, traffic in and demand for narcotic drugs;

3. Calls upon donor countries to allocate an appropriate portion of their development aid resources to programmes aimed at the reduction of illegal production of drugs and to the development of programmes to control drug abuse and drug traffic in the developing countries;

4. Calls upon producing countries to identify suitable projects for possible presentation to the Fund, to the specialized agencies and other organizations and programmes of the United Nations system and to international and regional financing institutions;

5. Urges the specialized agencies and other organizations and programmes of the United Nations system and other international organizations concerned with assistance to developing countries to initiate and continue, as a matter of priority, within their respective fields and within existing budgetary resources or through voluntarily contributed funds, activities to help developing countries to take the necessary steps to stop the illegal cultivation and

<sup>91</sup> Resolution 217 A (III).

<sup>92</sup> Resolution 3452 (XXX) annex.

<sup>93</sup> A/38/221.

<sup>94</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 38 (A/38/38)*, part one, para. 195.

production of and trafficking in drugs, in consultation with and incorporating the experience of the Fund;

6. *Invites* international financing institutions to consider giving financial support to activities in producing countries with a view to stopping the cultivation and production of illicit drugs, and calls upon Member States to encourage regional financing institutions to support such projects;

7. *Urges* the specialized agencies and other organizations and programmes of the United Nations system to identify special drug control activities in their respective fields and to accord higher priority to drug control activities in their programme budgets;

8. *Requests* the Secretary-General to report to the General Assembly at its fortieth session, through the Commission on Narcotic Drugs and the Economic and Social Council, on the drug control activities carried out by the specialized agencies and other organizations and programmes concerned, pursuant to the present resolution;

9. *Also requests* the Secretary-General to take the necessary steps to improve the co-ordination of drug control activities within the United Nations system and among Member States, the specialized agencies and programmes and other international and regional organs and organizations involved in drug control activities, with due consideration for the respective jurisdictions of those bodies, so as to avoid duplication of efforts in this field;

10. *Further requests* the Secretary-General to report to the General Assembly at its fortieth session on measures to improve co-operation and co-ordination of drug control activities within the United Nations system, in the light of the intergovernmental review of drug control to be undertaken by the Committee for Programme and Co-ordination at its twenty-fifth session.

*100th plenary meeting  
16 December 1983*

### **38/94. Question of enforced or involuntary disappearances**

*The General Assembly.*

*Recalling* its resolution 33/173 of 20 December 1978, entitled "Disappeared persons", and its resolution 37/180 of 17 December 1982 on the question of enforced or involuntary disappearances,

*Bearing in mind* Commission on Human Rights resolution 1983/20 of 22 February 1983,<sup>95</sup> in which the Commission decided to extend for one year the term of the mandate of the Working Group on Enforced or Involuntary Disappearances, and Economic and Social Council decision 1983/141 of 27 May 1983, in which the Council approved the Commission's decision,

*Convinced* that the action taken, in consultation with the Governments concerned, to promote the implementation of the provisions of General Assembly resolution 33/173 and other United Nations resolutions concerning the plight of missing or disappeared persons should be continued,

*Expressing its emotion* at the anguish and sorrow of the families concerned, who should know the fate of their relatives,

1. *Welcomes* the decision of the Commission on Human Rights to extend for one year the term of the mandate of the Working Group on Enforced or Involuntary

Disappearances, as laid down in Commission resolution 1983/20;

2. *Expresses its appreciation* to the Working Group for the work it has done and to those Governments that have co-operated with it;

3. *Calls upon* the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Group at its fortieth session;

4. *Appeals* to all Governments to provide the Working Group and the Commission on Human Rights with the full co-operation warranted by their strictly humanitarian objectives and their working methods based on discretion;

5. *Renews its request* to the Secretary-General to continue to provide the Working Group with all necessary assistance.

*100th plenary meeting  
16 December 1983*

### **38/95. Assistance to student refugees in southern Africa**

*The General Assembly.*

*Recalling* its resolution 37/177 of 17 December 1982, in which it, *inter alia*, requested the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from Namibia and South Africa who had taken asylum in Botswana, Lesotho, Swaziland and Zambia,

*Having considered* the report of the Secretary-General<sup>96</sup> containing the review by the High Commissioner of assistance programmes for student refugees from South Africa and Namibia,

*Noting with appreciation* that some of the projects recommended in the report on assistance to student refugees in southern Africa have been successfully completed,

*Noting with concern* the continued influx into Botswana, Lesotho, Swaziland and Zambia of student refugees from South Africa, as well as from Namibia,

*Convinced* that the discriminatory policies and repressive measures being applied in South Africa and Namibia will lead to a further exodus of student refugees from those countries,

*Conscious* of the burden placed on the limited financial, material and administrative resources of the host countries by the increasing number of student refugees,

*Appreciating* the efforts of the host countries to deal with their student refugee populations, with the assistance of the international community,

1. *Endorses* the assessments and recommendations contained in the report of the Secretary-General and commends him and the United Nations High Commissioner for Refugees for their efforts to mobilize resources and organize the programme of assistance for student refugees in the host countries of southern Africa;

2. *Expresses its appreciation* to the Governments of Botswana, Lesotho, Swaziland and Zambia for granting asylum and making educational and other facilities available to the student refugees, in spite of the pressure which the continuing influx of those refugees exerts on facilities in their countries;

<sup>95</sup> See *Official Records of the Economic and Social Council, 1983. Supplement No. 3 (E/1983/13 and Corr.1)*, chap. XXVII, sect. A.

<sup>96</sup> A/38/429 and Corr.1

3. *Also expresses its appreciation* to the Governments of Botswana, Lesotho, Swaziland and Zambia for the co-operation which they have extended to the Secretary-General and to the High Commissioner on matters concerning the welfare of those refugees;

4. *Notes with appreciation* the financial and material support provided for the student refugees by Member States, the Office of the United Nations High Commissioner for Refugees, other bodies of the United Nations system and intergovernmental and non-governmental organizations;

5. *Requests* the Secretary-General, in co-operation with the High Commissioner, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from Namibia and South Africa who have taken asylum in Botswana, Lesotho, Swaziland and Zambia;

6. *Urges* all Member States and intergovernmental and non-governmental organizations to continue contributing generously to the assistance programmes for student refugees, through financial support of the regular programmes of the High Commissioner, of the projects identified in the report of the Secretary-General and of the projects and programmes, including unfunded projects, which will be submitted to the Second International Conference on Assistance to Refugees in Africa, to be held at Geneva in July 1984;

7. *Also urges* all Member States and all intergovernmental and non-governmental organizations to assist the countries of asylum materially and otherwise to enable them to continue to discharge their humanitarian obligations towards refugees;

8. *Appeals* to the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and the United Nations Educational, Scientific and Cultural Organization, as well as other international and non-governmental organizations, to continue providing humanitarian and development assistance to expedite the settlement of student refugees from South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;

9. *Calls upon* all agencies and programmes of the United Nations system to continue co-operating with the Secretary-General and the High Commissioner in the implementation of humanitarian programmes of assistance for the student refugees in southern Africa;

10. *Requests* the High Commissioner, in co-operation with the Secretary-General, to continue to keep the matter under review, to apprise the Economic and Social Council, at its second regular session of 1984, of the current status of the programmes and to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

*100th plenary meeting  
16 December 1983*

### **38/96. Summary or arbitrary executions**

*The General Assembly,*

*Recalling* the provisions of the Universal Declaration of Human Rights,<sup>97</sup> which states that every human being has the right to life, liberty and security of person and that everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal,

*Having regard* to the provisions of the International Covenant on Civil and Political Rights,<sup>98</sup> which states that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

*Recalling also* its resolution 34/175 of 17 December 1979, in which it reaffirmed that mass and flagrant violations of human rights are of special concern to the United Nations and urged the Commission on Human Rights to take timely and effective action in existing and future cases of mass and flagrant violations of human rights,

*Recalling further* its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary and arbitrary executions, and its resolution 37/182 of 17 December 1982,

*Deeply alarmed* at the occurrence on a large scale of summary or arbitrary executions, including extra-legal executions,

*Recalling* resolution 1982/13 of 7 September 1982, of the Sub-Commission on Prevention of Discrimination and Protection of Minorities<sup>99</sup> in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

*Convinced* of the need for appropriate action to combat and eventually eliminate this practice, which represents a flagrant violation of the most fundamental human right, the right to life,

1. *Welcomes* Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint for one year a special rapporteur to examine the questions related to summary or arbitrary executions and to submit to the Commission on Human Rights, at its thirty-ninth session, a comprehensive report on the occurrence and extent of the practice of such executions, together with his conclusions and recommendations;

2. *Takes note* of Economic and Social Council resolution 1983/36 of 26 May 1983, in which the Council decided to continue the mandate of the Special Rapporteur, Mr. S. A. Wako, for another year and decided that the Commission on Human Rights should consider the question of summary or arbitrary executions as a matter of high priority at its fortieth session;

3. *Appeals* to all Governments to co-operate with and assist the Special Rapporteur of the Commission on Human Rights in the preparation of his report;

4. *Requests* the Secretary-General to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;

5. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights appear not to be respected;

6. *Requests* the Commission on Human Rights at its fortieth session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35 and 1983/36, to make recommendations concerning appropriate action to combat and eventually eliminate the practice of summary or arbitrary executions

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<sup>97</sup> Resolution 217 A (III).

<sup>98</sup> Resolution 2200 A (XXI), annex.

<sup>99</sup> See E/CN.4/1983/4-E/CN.4 Sub.2/1982/43 and Corr.1, chap. XXI, sect. A.

### 38/97. Regional arrangements for the protection of human rights

*The General Assembly.*

Recalling its resolutions 32/127 of 16 December 1977, 33/167 of 20 December 1978, 34/171 of 17 December 1979, 35/197 of 15 December 1980, 36/154 of 16 December 1981 and 37/171 and 37/172 of 17 December 1982 concerning regional arrangements for the promotion and protection of human rights.

Having considered the report of the Secretary-General on regional arrangements for the promotion and protection of human rights,<sup>100</sup>

1. Takes note of the report of the Secretary-General;
2. Expresses its thanks to the specialized agencies, the regional commissions and the regional intergovernmental organizations, as well as the non-governmental organizations concerned, which contributed to the preparation of that report;
3. Invites the specialized agencies, the regional commissions and the regional intergovernmental organizations which have not yet been able to do so to communicate to the Secretary-General their views on exchanges of information between the United Nations and the regional organizations and bodies for the promotion and protection of human rights, together with their views on ways and means of furthering such exchanges;
4. Invites the Secretary-General to submit to the General Assembly at its thirty-ninth session a further report amplifying the report prepared in accordance with resolution 37/172;<sup>100</sup>
5. Decides to consider this question further at its thirty-ninth session.

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16 December 1983*

### 38/98. Strategy and policies for drug control

*The General Assembly.*

Recalling its resolution 32/124 of 16 December 1977, in which it requested the Commission on Narcotic Drugs to study the possibility of launching a meaningful programme of international drug abuse control strategy and policies.

Recalling also its resolution 36/168 of 16 December 1981, by which it adopted the International Drug Abuse Control Strategy and the basic five-year programme of action<sup>101</sup> proposed by the Commission on Narcotic Drugs in its resolution 1 (XXIX) of 11 February 1981.

Noting the recommendation contained in Economic and Social Council resolution 1983/2 of 24 May 1983 that the Commission on Narcotic Drugs, meeting in plenary during its sessions and in the presence of all interested observers, should in future replace the current task force provisionally established and thus constitute the task force envisaged in General Assembly resolution 36/168.

Noting also Economic and Social Council decision 1983/117 of 24 May 1983, in which the Council decided to transmit to the General Assembly annex II to the report of the Commission on Narcotic Drugs on its thirtieth session,<sup>102</sup> containing the programme of action for the third and fourth years of the basic five-year programme of action.

1. Approves the programme of action for the biennium 1984-1985, the third and fourth years of the basic five-

year programme of action, contained in annex II to the report of the Commission on Narcotic Drugs on its thirtieth session;

2. Decides that, beginning with its eighth special session, the Commission on Narcotic Drugs, meeting in plenary during its sessions and in the presence of all interested observers, will constitute the task force envisaged in General Assembly resolution 36/168 to review, monitor and co-ordinate the implementation of the International Drug Abuse Control Strategy and the basic five-year programme of action.

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### 38/99. Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror

*The General Assembly.*

Recalling that the United Nations emerged from the struggle against nazism, fascism, aggression and foreign occupation, and that the peoples expressed their resolve in the Charter of the United Nations to save future generations from the scourge of war.

Bearing in mind the suffering, destruction and death of millions of victims of aggression, foreign occupation, nazism and fascism.

Recalling also the close relationship between all totalitarian ideologies and practices based on racial or ethnic exclusiveness or intolerance, hatred and terror and the systematic denial of human rights and fundamental freedoms.

Considering that the fortieth anniversary of the victory over nazism and fascism in the Second World War will occur in 1985 and should serve to mobilize the efforts of the world community in its struggle against Nazi, Fascist and neo-Fascist and all other totalitarian ideologies and practices based on racial intolerance, hatred and terror.

Reaffirming the purposes and principles laid down in the Charter, which are aimed at maintaining international peace and security, developing friendly relations among nations based on respect for the principle of equal rights and the self-determination of peoples, and achieving international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all.

Firmly convinced that the best bulwark against nazism and racial discrimination is the establishment and maintenance of democratic institutions, that the existence of genuine political, social and economic democracy is an effective vaccine and an equally effective antidote against the formation or development of Nazi movements and that a political system which is based on freedom and effective participation by the people in the conduct of public affairs, and under which economic and social conditions are such as to ensure a decent standard of living for the population, makes it impossible for fascism, nazism or other ideologies based on terror to succeed.

Emphasizing that all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror or systematic denial of human rights and fundamental freedoms, or which have such consequences, may jeopardize world peace and constitute obstacles to friendly

<sup>100</sup> A/38/480

<sup>101</sup> Official Records of the Economic and Social Council, 1981, Supplement No. 4 (E/1981/24), annex II.

<sup>102</sup> *Ibid.*, 1983, Supplement No. 5 (E/1983/15).



relations between States and to the realization of human rights and fundamental freedoms,

*Reaffirming* that the prosecution and punishment of war crimes and crimes against peace and humanity, as laid down in General Assembly resolutions 3 (I) of 13 February 1946 and 95 (I) of 11 December 1946, constitute a universal commitment for all States,

*Mindful* of the principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity, set forth in General Assembly resolution 3074 (XXVIII) of 3 December 1973,

*Recalling also* its resolutions 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968, 2545 (XXIV) of 11 December 1969, 2713 (XXV) of 15 December 1970, 2839 (XXVI) of 18 December 1971, 34/24 of 15 November 1979, 35/200 of 15 December 1980, 36/162 of 16 December 1981 and 37/179 of 17 December 1982,

*Recalling further* the Declaration on Social Progress and Development,<sup>103</sup> the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,<sup>104</sup> the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>105</sup> and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,<sup>106</sup>

*Underlining* the importance of the Universal Declaration of Human Rights,<sup>107</sup> the International Covenants on Human Rights,<sup>108</sup> the International Convention on the Elimination of All Forms of Racial Discrimination<sup>109</sup> and the Convention on the Prevention and Punishment of the Crime of Genocide,<sup>110</sup>

*Acknowledging* the fact that a number of States have established legal regulations which are suited to prevent the activities of Nazi, Fascist and neo-Fascist groups and organizations,

*Noting again with deep concern* that the proponents of Fascist ideologies have, in a number of countries, intensified their activities and are increasingly co-ordinating them on an international scale,

1. *Again condemns* all totalitarian or other ideologies and practices, in particular Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror or systematic denial of human rights and fundamental freedoms, or which have such consequences;

2. *Notes* that the fortieth anniversary of the conclusion of the Second World War will occur in 1985 and should serve to mobilize the efforts of the world community in its struggle against the ideologies and practices described in paragraph 1 above;

3. *Calls upon* States to assist each other in detecting, arresting and bringing to trial persons suspected of having committed war crimes and crimes against humanity and, if they are found guilty, in punishing them;

4. *Urges* all States to draw attention to the threat to democratic institutions by the above-mentioned ideologies and practices and to consider taking measures, in accordance with their national constitutional systems and with the provisions of the Universal Declaration of Human Rights and the International Covenants on Human Rights, to prohibit or otherwise deter activities by groups or organizations or whoever is practising those ideologies;

5. *Calls upon* the appropriate specialized agencies, as well as intergovernmental and international non-governmental organizations, to initiate or intensify measures against the ideologies and practices described in paragraph 1 above;

6. *Invites* Member States to adopt, in accordance with their national constitutional systems and with the provisions of the Universal Declaration of Human Rights and the International Covenants on Human Rights, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred and of war propaganda, including Nazi, Fascist and neo-Fascist ideologies;

7. *Appeals* to all States that have not yet done so to ratify or to accede or give serious consideration to acceding to the International Covenants on Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity<sup>111</sup> and the International Convention on the Suppression and Punishment of the Crime of Apartheid;<sup>112</sup>

8. *Calls once again upon* all States to provide the Secretary-General with their comments on this question;

9. *Requests* the Secretary-General to ensure that the Department of Public Information of the Secretariat pays attention to the dissemination of information on the forthcoming fortieth anniversary of the conclusion of the Second World War, exposing the ideologies and practices described in paragraph 1 above;

10. *Reiterates its request* to the Commission on Human Rights to consider this subject at its fortieth session;

11. *Requests* the Secretary-General to submit a report, through the Economic and Social Council, to the General Assembly at its thirty-ninth session, in the light of the discussion that will take place in the Commission on Human Rights and on the basis of comments provided by States and international organizations.

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16 December 1983*

### **38/100. Situation of human rights and fundamental freedoms in Guatemala**

*The General Assembly:*

*Reiterating* that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms,

*Recalling* its resolution 37/184 of 17 December 1982,

*Taking note* of Commission on Human Rights resolution 1983/37 of 8 March 1983,<sup>113</sup> in which the Commission reiterated its profound concern at the continuing reports of massive violations of human rights in Guatemala,

*Noting* that the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1983/12 of 5 September 1983,<sup>114</sup> recognized that in Guatemala there existed an armed conflict of a non-international character, which stemmed from economic,

<sup>103</sup> Resolution 2542 (XXIV).

<sup>104</sup> Resolution 1904 (XVIII).

<sup>105</sup> Resolution 1514 (XV).

<sup>106</sup> Resolution 36/55.

<sup>107</sup> Resolution 217 A (III).

<sup>108</sup> Resolution 2200 A (XXI), annex.

<sup>109</sup> Resolution 2106 A (XX), annex.

<sup>110</sup> Resolution 260 A (III), annex.

<sup>111</sup> Resolution 2391 (XXIII), annex.

<sup>112</sup> Resolution 3068 (XXVIII), annex.

<sup>113</sup> See *Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1)*, chap. XXVII, sect. A.

<sup>114</sup> See E/CN.4/1984/3-E/CN.4/Sub.2/1983/43 and Corr.1 and 2, chap. XXI, sect. A.

social and political factors of a structural nature, and that within that conflict the security forces and government institutions had not respected the norms of international humanitarian law.

*Expressing its satisfaction* at the appointment of a Special Rapporteur of the Commission on Human Rights and taking note of the co-operation extended to the Special Rapporteur by the Government of Guatemala.

*Taking note* of the interim report by the Special Rapporteur on the situation of human rights in Guatemala,<sup>115</sup> submitted in accordance with Commission on Human Rights resolution 1983/37.

*Welcoming* the lifting of the state of siege and the abolition of the special tribunals.

*Disturbed* at the large number of persons who have disappeared, including those reported to have been tried by the special tribunals, and who, despite appeals from various international organizations, remain unaccounted for.

1. *Expresses its deep concern* at the continuing massive violations of human rights in Guatemala, particularly the violence against non-combatants, and the widespread repression, killing and massive displacement of rural and indigenous populations, which are reported to have increased recently;

2. *Calls upon* the Government of Guatemala to refrain both from forcefully displacing people belonging to rural and indigenous populations and from the practice of coercing people into participation in civilian patrols, leading to human rights violations;

3. *Urges* the Government of Guatemala to take effective measures to ensure that all its authorities and agencies, including its security forces, fully respect human rights and fundamental freedoms;

4. *Requests* the Government of Guatemala to investigate and clarify the fate of persons who have disappeared and are still unaccounted for, including those reported to have been tried by the special tribunals;

5. *Calls upon* the Government of Guatemala to establish a system for the revocation of convictions and sentences passed by the special tribunals, now abolished;

6. *Appeals* to the Government of Guatemala to allow international humanitarian organizations to render assistance in investigating the fate of persons who have disappeared, with a view to informing their relatives of their whereabouts, and to visit detainees or prisoners, and to allow them to bring assistance to the civilian population in areas of conflict;

7. *Appeals also* to all parties concerned in Guatemala to ensure the application of the relevant norms of international humanitarian law applicable in armed conflicts of a non-international character to protect the civilian population and to seek an end to all acts of violence;

8. *Calls upon* Governments to refrain from supplying arms and other military assistance as long as serious human rights violations in Guatemala continue to be reported;

9. *Invites* the Government of Guatemala and other parties concerned to continue co-operating with the Special Rapporteur of the Commission on Human Rights;

10. *Requests* the Commission on Human Rights to study carefully the report of its Special Rapporteur, as well as other information pertaining to the situation in Guatemala,

and to consider further steps for securing effective respect for human rights and fundamental freedoms for all in that country;

11. *Decides* to continue its examination of the situation of human rights and fundamental freedoms in Guatemala at its thirty-ninth session.

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### 38/101. Situation of human rights and fundamental freedoms in El Salvador

*The General Assembly,*

*Guided* by the principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights,<sup>116</sup>

*Conscious* of its responsibility in all circumstances to promote and encourage respect for human rights and fundamental freedoms for all,

*Reiterating* that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms and to carry out the responsibilities they have undertaken under various international human rights instruments,

*Determined* to remain vigilant with regard to violations of human rights wherever they occur and to take measures to restore respect for human rights and fundamental freedoms,

*Recalling* that, in its resolutions 35/192 of 15 December 1980, 36/155 of 16 December 1981 and 37/185 of 17 December 1982, it expressed deep concern at the situation of human rights in El Salvador, especially in view of the death of thousands of people and the climate of violence and insecurity prevailing in that country, as well as the impunity of paramilitary forces and other armed groups,

*Bearing in mind* Commission on Human Rights resolutions 32 (XXXVII) of 11 March 1981,<sup>117</sup> in which the Commission decided to appoint a Special Representative on the situation of human rights in El Salvador, 1982/28 of 11 March 1982<sup>118</sup> and 1983/29 of 8 March 1983,<sup>119</sup> whereby the Commission extended the mandate of the Special Representative for another year and requested him to report, *inter alia*, to the General Assembly at its thirty-eighth session,

*Taking note with grave concern* of the interim report of the Special Representative of the Commission on Human Rights,<sup>120</sup> in which the continuation of a climate of violence and insecurity in El Salvador, characterized by armed clashes, acts of economic sabotage and grave and large-scale violations of human rights, as well as the failure of the Salvadorian authorities to prevent these constant violations of human rights in that country, are confirmed,

*Bearing in mind* that in its resolution 37/185 the General Assembly observed that the elections which were held in El Salvador in March 1982 had not led to the cessation of violence or to improvement in the situation of human rights and fundamental freedoms in that country;

*Noting with satisfaction* that the El Salvador Peace Commission, officials and special envoys of other Governments within and outside the region, as well as the representative political forces, have initiated talks in the search for a negotiated comprehensive political solution.

<sup>115</sup> See A/38/485.

<sup>116</sup> Resolution 217 A (III).

<sup>117</sup> See *Official Records of the Economic and Social Council, 1981, Supplement No. 5 (E/1981/25 and Corr.1)*, chap. XXVIII, sect. A.

<sup>118</sup> *Ibid.*, 1982, *Supplement No. 2 (E/1982/12 and Corr.1)*, chap. XXVI sect. A.

<sup>119</sup> *Ibid.*, 1983, *Supplement No. 3 (E/1983/13 and Corr.1)*, chap. XXVII, sect. A.

<sup>120</sup> See A/38-503.

1. *Commends* the Special Representative of the Commission on Human Rights for his interim report on the situation of human rights in El Salvador;

2. *Expresses its deepest concern* at the fact that, as indicated in the report of the Special Representative, the gravest violations of human rights are persisting in El Salvador and that, as a result, the sufferings of the Salvadorian people are continuing, and regrets that the appeals for the cessation of the acts of violence made by the General Assembly, the Commission on Human Rights and the international community as a whole have not been heeded;

3. *Again draws the attention* of the Salvadorian parties concerned to the fact that the rules of international law, as contained in article 3 common to the Geneva Conventions of 12 August 1949<sup>121</sup> and Additional Protocols I and II thereto,<sup>122</sup> are applicable to armed conflicts not of an international character, such as that in El Salvador, and requests all parties to apply a minimum standard of protection of human rights and of humane treatment of the civilian population;

4. *Takes note* of resolution 1983/18 of 5 September 1983 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,<sup>123</sup> in which the Sub-Commission suggested that the Special Representative give attention in his report to respect for or violation of humanitarian law in armed conflict;

5. *Recommends* that the reforms necessary for the solution of the economic and social problems which are at the root of the internal conflict in El Salvador should be put into effect so as to allow the effective exercise of civil and political rights in that country, and reaffirms the right of the Salvadorian people freely to determine their political, economic and social future without interference from outside and in an atmosphere free from intimidation and terror;

6. *Calls upon* the Government of El Salvador and other political forces to intensify their talks and to work towards the creation of suitable conditions in the common search for a negotiated comprehensive political solution which will put an end to the internal armed conflict and establish a lasting peace which will allow the full exercise both of civil and political rights and of economic, social and cultural rights by all Salvadorians;

7. *Once again urges* all States to abstain from intervening in the internal situation in El Salvador and to suspend all supplies of arms and any type of military assistance, so as to allow the restoration of peace and security and the establishment of a democratic system based on full respect for human rights and fundamental freedoms;

8. *Expresses its deep concern* at reports which prove that government forces regularly resort to bombarding urban areas in El Salvador that are not military objectives, and its concern for the fate of several hundred thousand displaced persons who are currently located in camps in which they are subjected to abuse and in which not even the minimum conditions of internment, in terms of either humane treatment or material needs, are observed;

9. *Also expresses its deep concern* at the resurgence of disappearances and murders of persons belonging to various sectors of the civilian population, for which the so-called "death squads" claim responsibility, and urges that these activities be investigated with a view to punishing those responsible;

10. *Expresses its concern* at the consequences of the damage done to the economy of El Salvador as a result of

the attacks on the economic infrastructure attributable for the most part, according to the report of the Special Representative, to the opposition forces;

11. *Reiterates its urgent appeal* to the Government of El Salvador to fulfil its obligations towards its citizens and to assume its international responsibilities in this regard by taking the necessary steps to ensure that all its agencies, including its security forces and other armed organizations operating under its authority, fully respect human rights and fundamental freedoms;

12. *Urges* the competent authorities of El Salvador to establish the necessary conditions to enable the judiciary to uphold the rule of law, prosecuting and punishing speedily and effectively those responsible for the grave violations of human rights which are being committed in that country;

13. *Reiterates its appeal* to all Salvadorian parties in the conflict to co-operate fully and not to interfere with the activities of humanitarian organizations dedicated to alleviating the suffering of the civilian population, wherever these organizations operate in the country;

14. *Deplores* the violent death of Marianela García Villas, President of the Commission of Human Rights of El Salvador, and, given the contradictory reports on the matter, requests the Special Representative of the Commission on Human Rights to investigate the circumstances of her death;

15. *Renews its appeal* to the Government of El Salvador, as well as all other parties concerned, to continue to co-operate with the Special Representative of the Commission on Human Rights;

16. *Decides* to keep under consideration, during its thirty-ninth session, the situation of human rights and fundamental freedoms in El Salvador, in order to examine this situation anew in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

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### 38/102. Situation of human rights and fundamental freedoms in Chile

*The General Assembly,*

*Aware* of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and determined to remain vigilant with regard to violations of human rights wherever they occur,

*Stressing* the obligation of Governments to promote and protect human rights and to carry out the responsibilities they have undertaken by virtue of various international instruments,

*Recalling* its resolutions 3219 (XXIX) of 6 November 1974, 3448 (XXX) of 9 December 1975, 31/124 of 16 December 1976, 32/118 of 16 December 1977, 33/175 of 20 December 1978, 34/179 of 17 December 1979, 35/188 of 15 December 1980, 36/157 of 16 December 1981 and 37/183 of 17 December 1982, relating to the situation of human rights in Chile, as well as its resolution 33/173 of 20 December 1978 on disappeared persons,

*Recalling also* the resolutions of the Commission on Human Rights on the situation of human rights in Chile, in particular resolution 1983/38 of 8 March 1983,<sup>119</sup> in which the Commission decided, *inter alia*, to extend for a

<sup>121</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

<sup>122</sup> A/32/144, annexes I and II.

<sup>123</sup> See E/CN.4/1984/3-E/CN.4/Sub.2/1983/43 and Corr.1 and 2, chap. XXI, sect. A.

year the mandate of the Special Rapporteur on the situation of human rights in Chile.

*Deplores once again* the fact that the repeated appeals of the General Assembly, the Commission on Human Rights and other international organs to re-establish human rights and fundamental freedoms have been ignored by the Chilean authorities, which continue to refuse to co-operate with the Commission on Human Rights and its Special Rapporteur.

*Expressing its profound concern* that, according to the conclusions of the Special Rapporteur, the performance of the Chilean authorities with regard to the situation of human rights has been negative in general and that they have not been responsive to the concerns of the international community expressed in resolutions of the General Assembly and the Commission on Human Rights.

*Observing* that the Chilean authorities have permitted a limited number of nationals to return to the country, but noting that the measures taken to that effect have been arbitrary and restrictive,

1. *Commends* the Special Rapporteur on the situation of human rights in Chile for his report,<sup>124</sup> prepared in accordance with Commission on Human Rights resolution 1983/38;

2. *Reiterates its grave concern* at the persistence of and increase in serious and systematic violations of human rights in Chile, as described in the report of the Special Rapporteur;

3. *Expresses once again its concern* at the disruption of the traditional democratic legal order and its institutions by the maintenance of exceptional legislation, the institutionalization of various states of emergency and the existence of a Constitution in Chile which does not reflect a freely expressed popular will and the provisions of which not only fail to guarantee the enjoyment of human rights and fundamental freedoms but also suppress, suspend or restrict the exercise of those rights and freedoms;

4. *Also reiterates its grave concern* at the inefficacy of recourse to *habeas corpus* or *amparo* and of protection in view of the fact that the judiciary in Chile does not exercise its powers fully in this respect and carries out its functions under severe restrictions;

5. *Once again requests* the Chilean authorities to respect and promote human rights in compliance with the obligations they have assumed under various international instruments and, in particular, to end the régime of exception and especially the practice of declaring states of emergency, under which serious and continuing violations of human rights are committed, and to restore the principle of legality, democratic institutions and the effective enjoyment and exercise of civil and political rights and fundamental freedoms without any discrimination;

6. *Once more urges* the Chilean authorities to investigate and clarify the fate of persons who have disappeared for political reasons, to inform their families of the results of such investigation and to bring to trial and punish those responsible for these disappearances;

7. *Reiterates its appeal* to the Chilean authorities to put an end to intimidation and persecution, as well as arbitrary detentions and imprisonment in secret places and the practice of torture and other forms of cruel, inhuman or degrading treatment which have resulted in unexplained deaths, and to respect the right of persons to life and physical integrity;

8. *Expresses its concern* at the violent suppression of the ever larger and more widespread popular protests in the face of the incapacity of the authorities to restore human rights and fundamental freedoms, as reported by the Special Rapporteur, which have resulted in serious, flagrant and systematic violation of human rights, including mass detentions and numerous deaths;

9. *Once again urges* the Chilean authorities to respect the right of Chileans to live in and freely enter and leave their country, without restrictions or conditions, and to cease the practice of "relegation" (assignment of forced residence) and forced exile;

10. *Renews its appeal* to the Chilean authorities to restore the full enjoyment and exercise of trade union rights, in particular the right to organize trade unions, the right to collective bargaining and the right to strike;

11. *Once more urges* the Chilean authorities to protect and restore the economic, social and cultural rights of the population and, in particular, to respect the rights intended to preserve the cultural identity and improve the social status of the indigenous population;

12. *Concludes*, on the basis of the report of the Special Rapporteur, that it is necessary to keep under consideration the situation of human rights in Chile;

13. *Calls again upon* the Chilean authorities to co-operate with the Special Rapporteur and to submit their comments on his report to the Commission on Human Rights at its fortieth session;

14. *Invites* the Commission on Human Rights to study in depth the report of the Special Rapporteur at its fortieth session and to take the most appropriate steps for the effective restoration of human rights and fundamental freedoms in Chile, including the extension of the mandate of the Special Rapporteur for one more year, and requests the Commission to report, through the Economic and Social Council, to the General Assembly at its thirty-ninth session.

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### 38/103. Human rights and mass exoduses

*The General Assembly,*

*Mindful* of its general humanitarian mandate under the Charter of the United Nations and its mandate to promote and encourage respect for human rights and fundamental freedoms for all,

*Deeply disturbed* by the continuing scale and magnitude of exoduses and displacements of populations in many regions of the world and by the human suffering of millions of refugees and displaced persons in all regions of the world,

*Conscious* that human rights violations are among the principal factors in the complex and multiple causes of mass exoduses of population,

*Deeply preoccupied* by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own, and upon the international community as a whole, by these sudden and mass exoduses and displacements of population,

*Recalling* its resolution 32/130 of 16 December 1977 and Commission on Human Rights resolution 4 (XXXIII) of 21 February 1977<sup>125</sup> on the full realization of economic, social and cultural rights,

<sup>124</sup> See A/38/385 and Add.1.

<sup>125</sup> See *Official Records of the Economic and Social Council, Sixty-second Session, Supplement 3a, E/1977/3, chap. XXI, sect. B.*

Recalling also its resolutions 35/124 of 11 December 1980, 36/148 of 16 December 1981 and 37/121 of 16 December 1982 on international co-operation to avert new flows of refugees, 35/196 of 15 December 1980 and 37/186 of 17 December 1982 on human rights and mass exoduses and Commission on Human Rights resolutions 29 (XXXVII) of 11 March 1981,<sup>126</sup> 1982/32 of 11 March 1982<sup>127</sup> and 1983/35 of 8 March 1983,<sup>128</sup>

Convinced that there is an urgent need to improve co-ordination within the existing international machinery to deal with mass exoduses and displacements of population,

Recognizing that the study on human rights and massive exoduses prepared by the Special Rapporteur of the Commission on Human Rights<sup>129</sup> can make an important contribution to the development of international thinking on the present problem of mass exoduses and their causes, and thus help in the prevention of further mass movements of population and the mitigation of their consequences.

1. Takes due note of the report of the Secretary-General on human rights and mass exoduses;<sup>130</sup>

2. Invites Governments to intensify their co-operation and assistance in world-wide efforts to address the increasingly serious problem of mass exoduses;

3. Requests those Governments that have not yet done so to communicate to the Secretary-General their opinions on the study prepared by the Special Rapporteur and the recommendations made therein with a view to the General Assembly taking a decision on those recommendations;

4. Notes the Secretary-General's request to the agencies and organizations of the United Nations system to make recommendations and to take whatever steps possible, within their mandates and existing resources, to improve international co-operation in these fields;

5. Considers it desirable for the Secretary-General to utilize to the greatest extent possible relevant United Nations machinery to analyse promptly information on situations which might cause mass exoduses;

6. Notes with interest that the Secretary-General has on many occasions designated special representatives on humanitarian issues on an *ad hoc* basis, and his readiness to continue and expand this practice;

7. Requests the Secretary-General to follow closely developments on this question, to take into consideration all the further comments of Member States, including those expressed at the thirty-eighth session of the General Assembly and at the fortieth session of the Commission on Human Rights, and to keep under review the recommendations of the Special Rapporteur;

8. Recalls that, in its resolution 36/148, the General Assembly requested the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees to undertake a comprehensive review of the problem of massive flows of refugees and, in accordance with paragraph 7 of that resolution, invited the Group of Governmental Experts to consider the recommendations of the Special Rapporteur which fall within its mandate;

9. Decides to consider the question of human rights and mass exoduses at its thirty-ninth session.

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<sup>126</sup> See *Official Records of the Economic and Social Council, 1981, Supplement No. 5 (E/1981/25 and Corr.1), chap. XXVIII, sect. A.*

<sup>127</sup> *Ibid.*, 1982, *Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.*

<sup>128</sup> *Ibid.*, 1983, *Supplement No. 3 (E/1983/33 and Corr.1), chap. XXVII, sect. A.*

### 38/104. International Research and Training Institute for the Advancement of Women

*The General Assembly,*

Recalling its resolution 37/56 of 3 December 1982, in which it invited the Secretary-General to submit to the General Assembly at its thirty-eighth session a report on the programme activities of the International Research and Training Institute for the Advancement of Women,

Taking note of the report of the Institute on its programme activities,<sup>131</sup>

Recalling Economic and Social Council resolution 1983/29 of 26 May 1983 concerning the programme of work of the Institute for the biennium 1984-1985,

Bearing in mind that the operation of the Institute depends solely on voluntary contributions,

1. Expresses its satisfaction at the official inauguration of the International Research and Training Institute for the Advancement of Women at its permanent headquarters at Santo Domingo.

2. Takes note with satisfaction of the programme of work of the Institute<sup>132</sup> and requests that the Institute continue activities that contribute to the full integration of women in the mainstream of development and that due attention be given to the interdependence of micro and macro economy and its impact on the role of women in the development process;

3. Requests the Secretary-General to take into account, when preparing the statute of the Institute, all relevant factors, including the fact that the Institute and its work are funded from voluntary contributions, as well as the principle of equitable geographical distribution applicable to the membership of the Board of Trustees;

4. Similarly requests the Economic and Social Council, when considering the statute of the Institute, to take the above-mentioned elements into account;

5. Urges the Secretary-General to continue to provide support to the Institute through the various departments of the Secretariat and to secure office space at United Nations Headquarters for liaison purposes in order to ensure prompt execution of the Institute's programme of work, as well as to maintain channels of communication between the Institute and the United Nations in conformity with the decision of the Board of Trustees;

6. Invites Governments and intergovernmental and non-governmental organizations to contribute to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women to meet the urgent need for financial resources in order to implement the programme of work of the Institute;

7. Decides to include in the provisional agenda of its thirty-ninth session a separate item entitled "International Research and Training Institute for the Advancement of Women".

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<sup>129</sup> E/CN.4/1503.

<sup>130</sup> A/38/538.

<sup>131</sup> A/38/406, annex.

<sup>132</sup> *Ibid.*, annex, sect. III.

### 38/105. Participation of women in promoting international peace and co-operation

*The General Assembly.*

*Reaffirming* its resolution 37/63 of 3 December 1982, by which it proclaimed the Declaration on the Participation of Women in Promoting International Peace and Co-operation,

*Believing* that further efforts are required to eliminate discrimination against women in all its forms and in every field of human endeavour,

*Wishing* to encourage the active participation of women in promoting international peace and security and co-operation,

*Conscious* of the need to implement the provisions of the Declaration,

*Desiring* that publicity be given to the Declaration,

1. *Calls upon* the Secretary-General to disseminate widely the Declaration on the Participation of Women in Promoting International Peace and Co-operation in the six official languages of the United Nations;

2. *Invites* all Governments to take the necessary measures to ensure wide publicity for the Declaration;

3. *Requests* the Secretary-General to bring the Declaration to the attention of the appropriate specialized agencies, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organisation, the World Health Organization and other appropriate bodies within the United Nations system, for the consideration of measures to implement the Declaration;

4. *Requests* the Commission on the Status of Women to consider what measures may be necessary in order to implement the Declaration and to report, through the Economic and Social Council, to the General Assembly at its thirty-ninth session;

5. *Decides* to consider at its thirty-ninth session the report of the Commission on the Status of Women under the item entitled "United Nations Decade for Women: Equality, Development and Peace", together with the preparations for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be held in 1985.

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### 38/106. Voluntary Fund for the United Nations Decade for Women

*The General Assembly.*

*Recalling* its resolution 31/133 of 16 December 1976, containing the criteria and arrangements for the management of the Voluntary Fund for the United Nations Decade for Women,

*Recalling also* its resolution 36/129 of 14 December 1981, in which it decided that the Fund should continue its activities beyond the United Nations Decade for Women: Equality, Development and Peace,

*Recalling further* its resolution 37/62 of 3 December 1982 and, in particular, its view that the appointment of senior women's programme officers at the regional commissions represents a valuable contribution to the implementation of the goals of the Decade.

*Reaffirming* that questions concerning women should be approached and dealt with as an integral part of overall

policies and programmes in the field of social and economic development.

*Noting with appreciation* the effective management and continuing expansion of the activities of the Fund and the co-operation extended by relevant bodies of the United Nations, including the United Nations Children's Fund, the United Nations Development Programme and the regional commissions, and by non-governmental organizations,

*Welcoming* the contributions made by Member States and non-governmental organizations towards the implementation of the goals of the Decade,

*Taking note with appreciation* of the report of the Secretary-General on the activities of the Fund,<sup>133</sup>

1. *Takes note with satisfaction* of the recommendations of the Consultative Committee on the Voluntary Fund for the United Nations Decade for Women at its thirteenth and fourteenth sessions, referred to in the report of the Secretary-General;<sup>134</sup>

2. *Expresses its concern* that the question of senior women's programme officers posts at the regional commissions is still unresolved and that lack of progress in this regard is seriously impeding work on the women's programmes in several regions;

3. *Urges* the Secretary-General, in consultation with the executive secretaries of the regional commissions, to give priority to solving the question of senior women's programme officers and to take urgently appropriate measures to ensure that all temporary and permanent senior women's programme officers posts at the regional commissions should be continued within the regular budget resources available to them;

4. *Notes with satisfaction* the continuing increase in the number of projects submitted to and financed by the resources of the Fund and their contribution to promoting the involvement of women in development;

5. *Considers* that the Fund has a unique contribution to make in the technical assistance field to the implementation of the goals of the United Nations Decade for Women: Equality, Development and Peace;

6. *Stresses* that the Fund also has a unique contribution to make to the achievement of the goals of the Third United Nations Development Decade, and even beyond it;

7. *Expresses its appreciation* for the voluntary support given to the Fund by Member States, national committees for the Fund, national United Nations associations and other non-governmental organizations;

8. *Notes with concern* that contributions to the Fund have not been sufficient to enable it to take on all the worthwhile projects submitted to it;

9. *Notes* that contributions by Governments have a vital role to play in maintaining and increasing the financial viability and effectiveness of the work of the Fund;

10. *Urges* Governments, accordingly, to continue and increase, where possible, their contributions to the Fund and calls upon those Governments that have not yet done so to consider contributing to the Fund;

11. *Decides* that, when considering the reports of the Secretary-General to be submitted to the General Assembly at its thirty-ninth session pursuant to Assembly resolution 36/129, all possible options for continuing the Fund's activities beyond the end of the Decade will be reviewed in depth;

12. *Requests* that the results of the forward-looking assessment that is being undertaken on the activities assisted by the Fund be reflected in the reports of the Sec-

<sup>133</sup> A/38/530.

<sup>134</sup> *Ibid.*, sect. V.

retary-General on the Fund to be submitted to the General Assembly at its thirty-ninth session;

13. *Takes note with appreciation* of the measures taken by the Secretary-General, in response to resolution 37/62, to improve and streamline the administration of the Fund;

14. *Commends* the United Nations Development Programme on its continuing technical and resource assistance to the Fund;

15. *Requests* the Secretary-General:

(a) To continue to report annually on the management of the Fund and on the progress of its activities and to include in his report to the General Assembly at its thirty-ninth session information on the implementation of measures taken in response to paragraph 3 above;

(b) To continue, on an annual basis, to include the Fund among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities.

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### 38/107. Prevention of prostitution

*The General Assembly,*

*Reaffirming* the objectives of the United Nations Decade for Women: Equality, Development and Peace,

*Taking into account* the resolutions, declarations, conventions and recommendations of the United Nations, the specialized agencies and international conferences designed to eliminate all forms of discrimination against women, as well as those relating to the suppression of traffic in persons and the exploitation of the prostitution of others, including Economic and Social Council resolution 1983/30 of 26 May 1983,

*Convinced* of the importance of the full integration of women in the social, political and economic activities of their community,

*Bearing in mind* the essential role of women in the welfare of the family and the development of society,

*Considering* that prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community,

*Further considering* that women and children are still all too often victims of physical abuse and sexual exploitation,

*Mindful* that the prevailing economic and social conditions are largely responsible for the continued existence of the social problems of prostitution and traffic in persons,

1. *Urges* Member States to take all appropriate humane measures, including legislation, to combat prostitution, exploitation of the prostitution of others and all forms of traffic in persons;

2. *Appeals* to Member States to provide special protection to victims of prostitution through measures including education, social guarantees and employment opportunities for those victims with a view to their rehabilitation;

3. *Requests* the Economic and Social Council, the Commission on Human Rights, the Commission on the Status of Women, the regional commissions and other

concerned bodies of the United Nations system to devote greater attention to the problem of prostitution and the means for its prevention;

4. *Requests* the Economic and Social Council to consider this question at its first regular session of 1985, together with the reports requested by the Council in its resolution 1983/30, and to transmit its comments to the General Assembly at its fortieth session.

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### 38/108. Preparations for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women

*The General Assembly,*

*Recalling* its resolution 3520 (XXX) of 15 December 1975, in which it endorsed, *inter alia*, the action proposals contained in the World Plan of Action for the Implementation of the Objectives of the International Women's Year,<sup>135</sup>

*Recalling* its resolution 3490 (XXX) of 12 December 1975, in which it expressed its conviction that a comprehensive and thorough review and appraisal of progress made in meeting the goals of the World Plan of Action was of crucial importance for the success of the Plan and recognized that the results of the implementation of the Plan would contribute to the consideration of the review and appraisal of the International Development Strategy for the Second United Nations Development Decade<sup>136</sup> and would consequently promote the role of women in the development process,

*Recalling* its resolution 35/136 of 11 December 1980, in which it endorsed the Programme of Action for the Second Half of the United Nations Decade for Women<sup>137</sup> as adopted at the World Conference of the United Nations Decade for Women, and decided to convene in 1985, at the conclusion of the Decade, a World Conference to Review and Appraise the Achievements of the United Nations Decade for Women,

*Recalling also* that the International Development Strategy for the Third United Nations Development Decade<sup>138</sup> stressed that the important set of measures to improve the status of women contained in the World Plan of Action adopted at Mexico City in 1975,<sup>135</sup> and the important agreed measures relating to the International Development Strategy in the Programme of Action for the Second Half of the United Nations Decade for Women, adopted at Copenhagen in 1980, should be implemented,

*Recalling further* its resolution 37/60 of 3 December 1982, in which it welcomed the decision of the Economic and Social Council that the Commission on the Status of Women should act as the preparatory body for the Conference and noted that the Commission would hold its first session in that capacity at Vienna from 23 February to 4 March 1983,

*Taking into consideration* Economic and Social Council decision 1983/132 of 26 May 1983 on the recommendations of the Commission on the Status of Women as the preparatory body for the Conference as set forth in its report,<sup>139</sup> and Council resolution 1983/28 of 26 May

<sup>135</sup> Report of the World Conference of the International Women's Year, Mexico City, 19 June-2 July 1975 (United Nations publication, Sales No. E.76.IV.1), chap. II, sect. A.

<sup>136</sup> Resolution 2626 (XXV).

<sup>137</sup> Report of the World Conference of the United Nations Decade for Women: Equality, Development and Peace, Copenhagen, 14-30 July 1980

(United Nations publication, Sales No. E.80.IV.3 and corrigendum), chap. I, sect. A.

<sup>138</sup> Resolution 35/56, annex.

<sup>139</sup> A/CONF.116/PC/9 and Corr.1, chap. I, sect. A.

1983 on the participation of non-governmental organizations in the preparations for the Conference.

*Bearing in mind* all its relevant resolutions and decisions regarding preparations for special conferences,

*Having considered* the report of the Commission on the Status of Women on the work of its first session as the preparatory body for the Conference,<sup>140</sup>

1. *Decides* to accept with appreciation the offer of the Government of Kenya to act as host at Nairobi, in 1985, to the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women;

2. *Takes note* of the report of the Commission on the Status of Women on the work of its first session as the preparatory body for the Conference;

3. *Endorses* the recommendations contained in the report of the Commission;

4. *Considers* that, within the framework of item 7 of the provisional agenda proposed by the Commission at its first session as the preparatory body for the Conference,<sup>141</sup> particular attention will be paid to the problems of women in Territories under racist colonial rule and in Territories under foreign occupation, on the basis of appropriate documentation from the international conferences on women, held at Mexico City and Copenhagen, with the theme equality, development and peace;

5. *Welcomes* the decision of the Economic and Social Council, in its resolution 1983/28, to invite non-governmental organizations to participate in the preparations for the Conference;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "United Nations Decade for Women: Equality, Development and Peace".

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16 December 1983*

### 38/109. Elimination of all forms of discrimination against women

*The General Assembly,*

*Considering* that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms without distinction of any kind, including distinction as to sex,

*Reaffirming* that women and men should, on a basis of equality, participate in and contribute to the social, economic and political processes of development and should share equally in improved conditions of life,

*Recalling* its resolution 34/180 of 18 December 1979, by which it adopted the Convention on the Elimination of All Forms of Discrimination against Women,

*Recalling also* its resolutions 35/140 of 11 December 1980, 36/131 of 14 December 1981 and 37/64 of 3 December 1982, as well as Economic and Social Council resolution 1983/1 of 17 May 1983,

*Taking note* of the report of the Secretary-General on the status of the Convention,<sup>142</sup>

*Having considered* the report of the Committee on the Elimination of Discrimination against Women on its first session,<sup>143</sup>

1. *Notes with appreciation* the increasing number of Member States that have ratified or acceded to the Convention on the Elimination of All Forms of Discrimination against Women;

2. *Invites* States that have not yet done so to become parties to the Convention by ratifying or acceding to it;

3. *Takes note* of the report of the Committee on the Elimination of Discrimination against Women on its first session;

4. *Welcomes* the fact that the Committee on the Elimination of Discrimination against Women has successfully started its work and, *inter alia*, has adopted general guidelines regarding the form and contents of reports received from States parties under article 18 of the Convention;

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the status of the Convention.

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16 December 1983*

### 38/110. Elimination of all forms of religious intolerance

*The General Assembly,*

*Reaffirming* its resolution 36/55 of 25 November 1981, in which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

*Recalling* its resolution 37/187 of 18 December 1982, in which it requested the Commission on Human Rights to consider what measures might be necessary to implement the Declaration,

*Believing* that further efforts are required to promote and protect the right to freedom of thought, conscience, religion or whatever belief,

*Taking note* of Commission on Human Rights resolution 1983/40 of 9 March 1983,<sup>144</sup> in which the Commission requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake a comprehensive and thorough study of the current dimensions of the problems of intolerance and of discrimination on grounds of religion or belief, using as terms of reference the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

*Expressing its satisfaction* with the action taken by the Sub-Commission regarding the designation of a Special Rapporteur to undertake this study,<sup>145</sup>

*Noting* that the Economic and Social Council, in its decision 1983/150 of 27 May 1983, endorsed the request of the Commission on Human Rights to the Secretary-General to hold, within the framework of the advisory services programme in the period 1984-1985, a seminar on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief,

1. *Pledges* its determination to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief and expresses the hope that the seminar will contribute towards the realization of these aims;

2. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration on the Elimination of All Forms of Intolerance

<sup>140</sup> A/CONF.116/PC/9 and Corr.1 and Add.1; transmitted to the members of the General Assembly by a note by the Secretary-General (A/C.3/38/2 and Add.1).

<sup>141</sup> See A/CONF.116/PC/9 and Corr.1, chap. I, sect. A, recommendation 1.

<sup>142</sup> A/38/378.

<sup>143</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 45 (A/38/45).*

<sup>144</sup> See *Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.*

<sup>145</sup> See E/CN.4/1984/3-E/CN.4/Sub.2/1983/43 and Corr.1 and 2, chap. XXI, sect. A, resolution 1983/31.



and of Discrimination Based on Religion or Belief and to report, through the Economic and Social Council, to the General Assembly at its thirty-ninth session;

3. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Elimination of all forms of religious intolerance" and to consider the report of the Commission on Human Rights in the context of that item.

*100th plenary meeting  
16 December 1983*

### 38/111. Implications of scientific and technological developments for human rights

*The General Assembly,*

*Recalling* its resolution 33/53 of 14 December 1978, in which it requested the Commission on Human Rights to urge the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake, as a matter of priority, a study of the question of the protection of those detained on the grounds of mental ill-health, with a view to formulating guidelines,

*Recalling also* its resolutions 35/130 B of 11 December 1980, 36/56 B of 25 November 1981 and 37/188 of 18 December 1982, in which it noted with satisfaction the progress made by the Sub-Commission and urged the Commission on Human Rights and the Sub-Commission to continue and expedite their consideration of this question, so that the Commission could submit its views and recommendations to the General Assembly at its thirty-ninth session, through the Economic and Social Council,

*Recalling further* Economic and Social Council resolution 1983/37 of 27 May 1983 and Commission on Human Rights resolution 1983/44 of 9 March 1983,<sup>144</sup>

*Noting* that the Commission on Human Rights will not be in a position to submit a report to the General Assembly at its thirty-ninth session through the Economic and Social Council, as requested in Assembly resolution 37/188, because it was impossible for the Sub-Commission to conclude at its thirty-sixth session its consideration of the draft body of guidelines, principles and guarantees,<sup>146</sup>

*Reaffirming its conviction* that detention of persons in mental institutions on account of their political views or on other non-medical grounds is a violation of their human rights,

*Noting with satisfaction* the progress made by the Sub-Commission in its consideration of the draft body of guidelines, principles and guarantees submitted to it,

*Again urges* the Commission on Human Rights and, through it, the Sub-Commission on Prevention of Discrimination and Protection of Minorities to expedite their consideration of the draft body of guidelines, principles and guarantees, so that the Commission can submit its views and recommendations, including a draft body of guidelines, principles and guarantees, to the General Assembly at its fortieth session, through the Economic and Social Council.

*100th plenary meeting  
16 December 1983*

### 38/112. Human rights and scientific and technological developments

*The General Assembly,*

*Noting* that scientific and technological progress is one of the important factors in the development of human society,

*Noting once again* the great importance of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, adopted by the General Assembly in its resolution 3384 (XXX) of 10 November 1975,

*Considering* that implementation of the said Declaration will contribute to the strengthening of international peace and the security of peoples and to their economic and social development, as well as to international co-operation in the field of human rights,

*Seriously concerned* that the results of scientific and technological progress could be used for the arms race, to the detriment of international peace and security and social progress, human rights and fundamental freedoms and the dignity of the human person,

*Recognizing* that the establishment of the new international economic order calls in particular for an important contribution to be made by science and technology to economic and social progress,

*Bearing in mind* that the exchange and transfer of scientific and technological knowledge is one of the important ways to accelerate the social and economic development of the developing countries,

*Taking note with satisfaction* of the report of the Secretary-General on human rights and scientific and technological developments,<sup>147</sup>

1. *Stresses* the importance of the implementation by all States of the provisions and principles contained in the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind in order to promote human rights and fundamental freedoms:

2. *Calls upon* all States to make every effort to use the achievements of science and technology in order to promote peaceful social, economic and cultural development and progress;

3. *Requests* the specialized agencies and other organizations of the United Nations system to take into account in their programmes and activities the provisions of the Declaration;

4. *Invites* those Member States, specialized agencies and other organizations of the United Nations system that have not yet done so to submit their information pursuant to General Assembly resolution 35/130 A of 11 December 1980;

5. *Requests* the Commission on Human Rights to pay special attention, in its consideration of the item entitled "Human rights and scientific and technological developments", to the question of the implementation of the provisions of the Declaration, taking into consideration the information submitted by Member States, specialized agencies and other organizations of the United Nations system pursuant to General Assembly resolution 35/130 A;

<sup>146</sup> *Ibid.*, chap. XVII.

<sup>147</sup> A/38/195.

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Human rights and scientific and technological developments".

*100th plenary meeting  
16 December 1983*

### 38/113. Human rights and use of scientific and technological developments

*The General Assembly.*

*Reaffirming* the determination of the peoples of the United Nations to save succeeding generations from the scourge of war, to reaffirm faith in the dignity and worth of the human person, to maintain international peace and security and to develop friendly relations among peoples and international co-operation in promoting and encouraging universal respect for human rights and fundamental freedoms.

*Recalling* the relevant provisions of the Universal Declaration of Human Rights,<sup>148</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>149</sup> and the International Covenant on Civil and Political Rights,<sup>149</sup>

*Recalling also* the Charter of Economic Rights and Duties of States<sup>150</sup> and the Declaration and the Programme of Action on the Establishment of a New International Economic Order,<sup>151</sup>

*Recalling further* the Declaration on the Strengthening of International Security,<sup>152</sup> the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind,<sup>153</sup> the Declaration on the Preparation of Societies for Life in Peace,<sup>154</sup> the Declaration on the Prevention of Nuclear Catastrophe<sup>155</sup> and General Assembly resolutions 36/92 I of 9 December 1981, on the non-use of nuclear weapons and prevention of nuclear war, and 37/100 C of 13 December 1982, on a convention on the prohibition of the use of nuclear weapons,

*Taking note with appreciation* of Commission on Human Rights resolutions 1982/7 of 19 February 1982<sup>156</sup> and 1983/43 of 9 March 1983,<sup>157</sup>

*Reaffirming* the inherent right to life,

*Profoundly concerned* that international peace and security continue to be threatened by the arms race in all its aspects, particularly the nuclear arms race, as well as by violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and the self-determination of peoples,

*Aware* that all the horrors of past wars and all other calamities that have befallen people would pale in comparison with what is inherent in the use of nuclear weapons capable of destroying civilization on Earth,

*Noting* the pressing need for urgent measures towards general and complete disarmament, particularly nuclear disarmament, for the sake of life on Earth,

*Bearing in mind* that, in accordance with the International Covenant on Civil and Political Rights, any propaganda for war shall be prohibited by law.

*Recalling* the historic responsibility of the Governments of all countries of the world to remove the threat of war

from the lives of people, to preserve civilization and ensure that everyone enjoys his inherent right to life.

*Convinced* that for no people in the world today is there a more important question than that of the preservation of peace and of ensuring the cardinal right of every human being, namely, the right to life.

1. *Reaffirms* that all peoples and all individuals have an inherent right to life and that the safeguarding of this cardinal right is an essential condition for the enjoyment of the entire range of economic, social and cultural, as well as civil and political, rights;

2. *Stresses once again* the urgent need for the international community to make every effort to strengthen peace, remove the growing threat of war, particularly nuclear war, halt the arms race and achieve general and complete disarmament under effective international control, and prevent violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and self-determination of peoples, thus contributing to ensuring the right to life;

3. *Stresses further* the foremost importance of the implementation of practical measures of disarmament for releasing substantial additional resources, which should be utilized for social and economic development, particularly for the benefit of the developing countries;

4. *Calls upon* all States, appropriate organs of the United Nations, specialized agencies and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress are used exclusively in the interests of international peace, for the benefit of mankind and for promoting and encouraging universal respect for human rights and fundamental freedoms;

5. *Again calls upon* all States that have not yet done so to take effective measures with a view to prohibiting by law any propaganda for war;

6. *Looks forward* to further efforts by the Commission on Human Rights with a view to ensuring the inherent right of all peoples and all individuals to life;

7. *Decides* to consider this question at its thirty-ninth session under the item entitled "Human rights and scientific and technological developments".

*100th plenary meeting  
16 December 1983*

### 38/114. Question of a convention on the rights of the child

*The General Assembly,*

*Recalling* its resolutions 33/166 of 20 December 1978, 34/4 of 18 October 1979, 35/131 of 11 December 1980, 36/57 of 25 November 1981 and 37/190 of 18 December 1982,

*Recalling also* Commission on Human Rights resolutions 20 (XXXIV) of 8 March 1978,<sup>158</sup> 19 (XXXV) of 14 March 1979,<sup>159</sup> 36 (XXXVI) of 12 March 1980,<sup>160</sup> 26 (XXXVII) of 10 March 1981,<sup>161</sup> 1982/39 of 11 March 1982<sup>156</sup> and 1983/52 of 10 March 1983<sup>157</sup> as well as Economic and Social Council resolutions 1978/18 of 5 May

<sup>157</sup> *Ibid.*, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

<sup>158</sup> *Ibid.*, 1978, Supplement No. 4 (E/1978/34), chap. XXVI, sect. A.

<sup>159</sup> *Ibid.*, 1979, Supplement No. 6 (E/1979/36), chap. XXIV, sect. A.

<sup>160</sup> *Ibid.*, 1980, Supplement No. 3 (E/1980/13 and Corr.1), chap. XXVI, sect. A.

<sup>161</sup> *Ibid.*, 1981, Supplement No. 5 (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

<sup>148</sup> Resolution 217 A (III).

<sup>149</sup> Resolution 2200 (XXI), annex.

<sup>150</sup> Resolution 3281 (XXIX).

<sup>151</sup> Resolutions 3201 (S-VI) and 3202 (S-VI).

<sup>152</sup> Resolution 2734 (XXV).

<sup>153</sup> Resolution 3384 (XXX).

<sup>154</sup> Resolution 33/73.

<sup>155</sup> Resolution 36/100.

<sup>156</sup> See *Official Records of the Economic and Social Council, 1982, Supplement No. 2 (E/1982/12 and Corr.1)*, chap. XXVI, sect. A.

1978, 1978/40 of 1 August 1978, 1982/37 of 7 May 1982 and 1983/39 of 27 May 1983 and Council decisions 1980/138 of 2 May 1980 and 1981/144 of 8 May 1981,

*Bearing in mind* that children's rights are basic human rights and call for continuous improvement of the situation of children all over the world, as well as their development and education in conditions of peace,

*Mindful* of the need to keep up the momentum of positive action for the sake of children generated by the International Year of the Child,

*Noting* the important role of the United Nations Children's Fund and the United Nations in promoting the well-being of children and their development,

*Aware* of the importance of an international convention on the rights of the child for a more effective protection of children's rights, as well as of the widespread interest in the elaboration of such an international instrument displayed by a growing number of Governments and international organizations,

*Considering* that the year 1984 will mark the twenty-fifth anniversary of the Declaration of the Rights of the Child,<sup>162</sup>

*Reaffirming* that mankind owes to the child the best it has to give,

*Noting with appreciation* that further progress was made in the elaboration of a draft convention on the rights of the child prior to<sup>163</sup> and during<sup>164</sup> the thirty-ninth session of the Commission on Human Rights,

1. *Welcomes* Economic and Social Council resolution 1983/39, in which the Council authorized a meeting of an open-ended working group of the Commission on Human Rights for a period of one week prior to the fortieth session of the Commission to facilitate and speed up the completion of the work on a draft convention on the rights of the child;

2. *Requests* the Commission on Human Rights to give the highest priority at its fortieth session to the question of completing the draft convention and to make every effort to submit it, through the Economic and Social Council, to the General Assembly at its thirty-ninth session, as the Commission's tangible contribution to the commemoration of the twenty-fifth anniversary of the Declaration of the Rights of the Child;

3. *Invites* all Member States to offer their effective contribution to the completion without delay of the draft convention on the rights of the child;

4. *Requests* the Secretary-General to provide all necessary assistance to the working group to ensure its smooth and efficient work;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Question of a convention on the rights of the child".

*100th plenary meeting  
16 December 1983*

### 38/115. Arabic language services for meetings of the States parties to the International Covenant on Civil and Political Rights and the Human Rights Committee

*The General Assembly,*

*Aware* of the need to achieve greater international co-operation and to promote harmonization of its activities in the field of human rights,

*Bearing in mind* its resolutions 3190 (XXVIII) of 18 December 1973, 34/226 of 20 December 1979 and 35/219 of 17 December 1980 relating to the introduction of Arabic as an official and working language of the General Assembly and its Main Committees,

*Authorizes* the provision of Arabic language services required for meetings of the States parties to the International Covenant on Civil and Political Rights,<sup>165</sup> as well as of the Human Rights Committee, and requests the Secretary-General to take appropriate measures to that end.

*100th plenary meeting  
16 December 1983*

### 38/116. International Covenants on Human Rights

*The General Assembly,*

*Recalling* its resolutions 33/51 of 14 December 1978, 34/45 of 23 November 1979, 35/132 of 11 December 1980, 36/58 of 25 November 1981 and 37/191 of 18 December 1982,

*Taking note* of the report of the Secretary-General<sup>166</sup> on the status of the International Covenant on Economic, Social and Cultural Rights,<sup>165</sup> the International Covenant on Civil and Political Rights<sup>165</sup> and the Optional Protocol to the International Covenant on Civil and Political Rights,<sup>165</sup>

*Noting with appreciation* that, following its appeal, more Member States have acceded to the International Covenants on Human Rights,<sup>165</sup>

*Recognizing* the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights and the Optional Protocol thereto,

*Taking into account* the useful work of the Sessional Working Group of Governmental Experts on the implementation of the International Covenant on Economic, Social and Cultural Rights,

*Bearing in mind* the important responsibilities of the Economic and Social Council in relation to the International Covenants on Human Rights,

*Taking note* of Economic and Social Council decision 1983/184 of 29 July 1983, in which the Council invited the General Assembly to consider at its thirty-eighth session the possibility of scheduling the meetings of the Human Rights Committee so that the Committee's report could be submitted to the Assembly through the Council at its first regular session,

1. *Takes note with appreciation* of the report of the Human Rights Committee on its seventeenth, eighteenth and nineteenth sessions,<sup>167</sup> and expresses its satisfaction at the serious and constructive manner in which the Committee is continuing to perform its functions;

2. *Expresses its appreciation* to those States parties to the International Covenant on Civil and Political Rights

<sup>162</sup> Resolution 1386 (XIV).

<sup>163</sup> See E/CN.4/1983/62.

<sup>164</sup> See *Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XI.*

<sup>165</sup> Resolution 2200 A (XXI), annex.

<sup>166</sup> A/38/392.

<sup>167</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 40 (A/38/40).*

that have extended their co-operation to the Human Rights Committee in submitting their reports under article 40 of the Covenant and urges States parties that have not yet done so to submit their reports to the Committee as speedily as possible;

3. *Urges* those States parties to the International Covenant on Civil and Political Rights that have been requested by the Human Rights Committee to provide additional information to comply with that request;

4. *Commends* those States parties to the International Covenant on Economic, Social and Cultural Rights that have submitted their reports under article 16 of the Covenant and urges States that have not yet done so to submit their reports as soon as possible and, in those instances in which it is not possible to do so, to inform the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights as to when those reports will be submitted;

5. *Notes with appreciation* that the majority of States parties to the International Covenant on Civil and Political Rights, and an increasing number of States parties to the International Covenant on Economic, Social and Cultural Rights, have been represented by experts for the presentation of their reports, thereby assisting the Human Rights Committee and the Economic and Social Council in their work, and hopes that all States parties to both Covenants will arrange such representation in future;

6. *Again invites* all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as to consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights;

7. *Invites* the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

8. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocol to the International Covenant on Civil and Political Rights;

9. *Requests* the Secretary-General to continue to keep the Human Rights Committee informed of the activities of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women and also to transmit the annual reports of the Human Rights Committee to those bodies;

10. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights;

11. *Urges* the Secretary-General to take further positive steps to ensure that adequate publicity and other arrangements are made to enable the Human Rights Committee and the Economic and Social Council to carry out effectively, within existing resources, their respective functions under the International Covenants on Human Rights;

12. *Also urges* the Secretary-General to expedite arrangements for publication of the official public records of the Human Rights Committee in bound volumes, starting with its first session, as indicated in General Assembly resolution 37/191;

13. *Requests* the Secretary-General to continue to take all possible steps to ensure that the Centre for Human Rights of the Secretariat is able to assist effectively the Human Rights Committee and the Economic and Social Council in the implementation of their respective functions under the International Covenants on Human Rights, taking into account General Assembly resolutions 3534 (XXX) of 17 December 1975 and 31/93 of 14 December 1976.

*100th plenary meeting  
16 December 1983*

### **38/117. Reporting obligations of the States parties to the International Covenants on Human Rights**

*The General Assembly,*

*Recalling* its resolution 37/44 of 3 December 1982,

*Mindful* of the obligation of all States parties to the International Covenants on Human Rights<sup>165</sup> to comply fully with their provisions, including articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights,<sup>165</sup> which require the submission of periodic reports in accordance with the programme established by the Economic and Social Council,

*Having considered* the report of the Secretary-General,<sup>168</sup> in which he indicates that a large number of delays occur in the submission of reports on the implementation of the International Covenant on Economic, Social and Cultural Rights,

*Noting* that the report of the Secretary-General emphasizes the interrelationship of problems affecting the reporting system under various human rights instruments,

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Reiterates* the importance it attaches to the reporting systems established by the International Covenants on Human Rights;

3. *Requests* the Secretary-General to transmit his report to the Economic and Social Council, which is entrusted with the consideration of the reports of States parties to the International Covenant on Economic, Social and Cultural Rights under article 16 thereof;

4. *Requests* the Economic and Social Council and its Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights to consider the suggestions contained in the report of the Secretary-General with a view to improving the situation regarding the submission of reports under the Covenant;

5. *Requests* the Secretary-General to consider the possibility of convening, in accordance with the suggestion contained in the report of the Human Rights Committee<sup>169</sup> and within existing resources, a meeting of the Chairmen of the bodies entrusted with the consideration of reports submitted under the relevant human rights instruments in order to consider the report of the Secretary-General, taking into account the results of General

<sup>168</sup> A/38/393.

<sup>169</sup> See *Official Records of the General Assembly: Thirty-eighth Session, Supplement No. 40 (A/38/40)*, para. 32.

Assembly resolution 38/20 of 22 November 1983 and of the present resolution;

6. *Requests* the Secretary-General to inform the General Assembly at its thirty-ninth session of the views and suggestions expressed at the above-mentioned meeting, if it is convened.

*100th plenary meeting  
16 December 1983*

### 38/118. Principles of Medical Ethics

*The General Assembly,*

*Recalling* its resolution 37/194 of 18 December 1982, by which it adopted the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,

*Alarmed* that not infrequently members of the medical profession or other health personnel are engaged in activities which are difficult to reconcile with the Principles of Medical Ethics,

*Recognizing* the need for the full application of the Principles of Medical Ethics and desiring that the Principles be given wide publicity,

1. *Urges* all Governments to take measures with a view to promoting the application by all health personnel and Government officials, in particular those employed in institutions of detention or imprisonment, of the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment;

2. *Requests* the Secretary-General to disseminate the Principles of Medical Ethics widely and in as many languages as possible and to issue a pamphlet containing the text of the Principles in the six official languages of the United Nations;

3. *Calls upon* all Governments to give the Principles of Medical Ethics the widest possible distribution, in particular among medical and paramedical associations and institutions of detention or imprisonment, in an official language of the State;

4. *Invites* all relevant intergovernmental organizations, in particular the World Health Organization, and non-governmental organizations concerned to bring the Principles of Medical Ethics to the attention of the widest possible group of individuals, especially those active in the medical and paramedical field;

5. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the steps taken by the United Nations and the relevant specialized agencies, as well as by Governments, for the dissemination and implementation of the Principles of Medical Ethics.

*100th plenary meeting  
16 December 1983*

### 38/119. Torture and other cruel, inhuman or degrading treatment or punishment

*The General Assembly,*

*Recalling* the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

*Bearing in mind* article 7 of the International Covenant on Civil and Political Rights,<sup>170</sup>

*Recalling also* its resolution 32/62 of 8 December 1977, in which it requested the Commission on Human Rights to draw up a draft convention against torture and other cruel, inhuman or degrading treatment or punishment, in the light of the principles embodied in the Declaration, and its resolution 32/63 of 8 December 1977,

*Recalling further* that the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in its resolution 11 of 5 September 1980, expressed the belief that the draft convention should be finalized at the earliest possible time,<sup>171</sup>

*Considering* that it was not possible to complete the work on the draft convention during the thirty-ninth session of the Commission on Human Rights,

1. *Welcomes* Economic and Social Council resolution 1983/38 of 27 May 1983, in which the Council authorized a meeting of an open-ended working group of the Commission on Human Rights for a period of one week prior to the fortieth session of the Commission in order to complete the work on a draft convention;

2. *Requests* the Commission on Human Rights to complete, at its fortieth session, as a matter of the highest priority, the drafting of a convention against torture and other cruel, inhuman or degrading treatment or punishment, with a view to submitting a draft, including provisions for the effective implementation of the future convention, to the General Assembly at its thirty-ninth session;

3. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

*100th plenary meeting  
16 December 1983*

### 38/120. Second International Conference on Assistance to Refugees in Africa

*The General Assembly,*

*Having considered* the report of the Secretary-General concerning preparations for the Second International Conference on Assistance to Refugees in Africa<sup>172</sup> and the sections on Africa contained in the report of the United Nations High Commissioner for Refugees,<sup>173</sup>

*Recalling* its resolutions 37/197 of 18 December 1982, entitled "International Conference on Assistance to Refugees in Africa", and 38/5 of 28 October 1983 on co-operation between the United Nations and the Organization of African Unity,

*Bearing in mind* resolution AHG/Res.114 (XIX) on the Second Conference, adopted by the Assembly of Heads of State and Government of the Organization of African

<sup>170</sup> Resolution 2200 A (XXI), annex.

<sup>171</sup> See *Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Caracas, 25 August-5 September 1980: Report prepared by the Secretariat* (United Nations publication, Sales No. E.81.IV.4), chap. I, sect. B.

<sup>172</sup> A/38/526.

<sup>173</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 12 (A/38/12 and Corr.1) and Supplement No. 12A (A/38/12 Add.1).*

Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983.<sup>174</sup>

*Gravely concerned* at the persistent and serious problem of large numbers of refugees on the African continent.

*Aware* of the economic and social burden borne by African countries of asylum on account of the presence of these refugees and its consequences for their national development and of the heavy sacrifices made by them, despite their limited resources.

*Recognizing* the universal collective responsibility of sharing the urgent and overwhelming burden of the problem of African refugees through effective mobilization of resources to meet the urgent and long-term needs of the refugees and to strengthen the capacity of countries of asylum to provide adequately for the refugees while they remain in those countries, as well as to assist the countries of origin in the rehabilitation of voluntary returnees,

*Recognizing* that the achievement of durable solutions to refugee problems, in particular voluntary repatriation and local integration, calls for generous humanitarian and developmental assistance to the affected countries, as well as for efforts to address the causes of refugee situations.

1. *Takes note with appreciation* of the report of the Secretary-General concerning preparations for the Second International Conference on Assistance to Refugees in Africa;

2. *Approves* the proposed Conference arrangements contained in paragraph 17 of the report of the Secretary-General;

3. *Requests* the Secretary-General to invite all States to participate in the Conference at the ministerial level and to invite also the relevant organs, organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to participate in the Conference at a high level;

4. *Appeals* to the international community, all States, specialized agencies and regional intergovernmental and non-governmental organizations to provide the utmost support for the Conference with a view to offering maximum financial and material assistance to refugees in Africa and to ensuring the success of the Conference;

5. *Expresses its deep appreciation* to the countries of asylum for the generous contribution and the sacrifices that they are making to alleviate the plight of refugees;

6. *Commends* those countries that are supporting programmes for refugees and returnees for their continued assistance and calls upon them, as well as other States and international organizations, to assist and co-operate with the United Nations High Commissioner for Refugees in the promotion of durable solutions;

7. *Requests* the Secretary-General, in close co-operation with the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees, to ensure that, in the period leading up to the Conference, all appropriate measures are taken so that Member States, in particular principal donors, are kept fully informed of the priority needs of the affected countries and that contacts are established in the capitals concerned to mobilize the necessary support and resources;

8. *Notes with satisfaction* the action taken by the United Nations High Commissioner for Refugees to initiate public information programmes to increase public awareness of the refugee situation in Africa and the objectives of the Conference;

9. *Requests* the Department of Public Information of the Secretariat and other competent bodies of the United Nations system to co-operate closely with the United Nations High Commissioner for Refugees to ensure that the maximum amount of publicity is given to the refugee situation in Africa, as well as to the Conference and its objectives;

10. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

100th plenary meeting  
16 December 1983

### 38/121. Report of the United Nations High Commissioner for Refugees

*The General Assembly,*

*Having considered* the report of the United Nations High Commissioner for Refugees on the activities of his Office,<sup>175</sup> as well as the report of the Executive Committee of the Programme of the High Commissioner on the work of its thirty-fourth session,<sup>176</sup> and having heard the statement made by the High Commissioner on 14 November 1983,<sup>177</sup>

*Recalling* its resolution 37/195 of 18 December 1982,

*Reaffirming* the eminently humanitarian and non-political character of the activities of the Office of the High Commissioner,

*Noting with deep concern* that problems of refugees and displaced persons of concern to the High Commissioner remain acute in all parts of the world, notably in Africa, Asia and Latin America,

*Stressing* the fundamental importance of the High Commissioner's international protection function and the need for States to co-operate with the High Commissioner in the exercise of this essential function,

*Expressing serious concern* over the difficulties encountered by the High Commissioner in the exercise of his international protection function in the face of continued violations of the basic rights of persons of concern to his Office,

*Deeply concerned* that in various regions the safety and welfare of refugees and asylum-seekers have been seriously jeopardized on account of military or armed attacks, acts of piracy and other forms of brutality,

*Acknowledging with appreciation* the note of the Executive Committee on the strengthening of the management policy of the Office of the United Nations High Commissioner for Refugees, submitted by the High Commissioner,<sup>178</sup> and the High Commissioner's efforts to strengthen the management of his Office,

*Noting* that the Executive Committee has requested the High Commissioner to undertake a comprehensive study of the full financial and practical implications of the inclusion of Arabic, Chinese and Spanish among the official and working languages of the Executive Committee,

*Noting with deep appreciation* the valuable support extended by many Governments to the High Commissioner in carrying out his duties.

<sup>174</sup> See A/38/312, annex.

<sup>175</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 12 (A/38/12 and Corr.1).*

<sup>176</sup> *Ibid.*, Supplement No. 12A (A/38/12/Add.1).

<sup>177</sup> *Ibid.*, Thirty-eighth Session, Third Committee, 42nd meeting, paras. 28-37.

<sup>178</sup> A/AC.96/HCR/EC/SC.2/15/Add.1.

*Welcoming* the increasing number of accessions by States to the 1951 Convention<sup>179</sup> and the 1967 Protocol<sup>180</sup> relating to the Status of Refugees,

*Emphasizing* that voluntary repatriation is the most desirable and durable solution to problems of refugees and displaced persons of concern to the High Commissioner.

1. *Commends* the United Nations High Commissioner for Refugees and his staff for the valuable work they perform on behalf of refugees, returnees and displaced persons of concern to the Office of the High Commissioner;

2. *Reaffirms* the fundamental nature of the High Commissioner's function to provide international protection and the need for Governments to co-operate fully with him to facilitate the effective exercise of this essential function, in particular by acceding to and fully implementing the relevant international and regional instruments and by scrupulously observing the principles of asylum and *non-refoulement*;

3. *Deplores* all violations of the rights and safety of refugees and asylum-seekers, in particular through military or armed attacks against refugee camps and settlements, other forms of brutality and failure to rescue asylum-seekers in distress at sea;

4. *Urges* States, in co-operation with the Office of the High Commissioner and other competent international bodies, to take all necessary measures to ensure the safety of refugees and asylum-seekers;

5. *Reaffirms* the principle of international solidarity and burden-sharing in responding to the refugee problem, particularly in view of the heavy burden borne by receiving countries on account of the presence of large numbers of refugees and asylum-seekers;

6. *Expresses its deep appreciation* for the valuable material and humanitarian response of receiving countries, in particular of many developing countries that give asylum to or accept on a temporary basis large numbers of refugees;

7. *Commends* all States that facilitate the attainment of durable solutions, accept refugees for resettlement and contribute generously to the High Commissioner's programmes;

8. *Urges* all States to support the High Commissioner in his efforts to find durable solutions to refugee problems, primarily through voluntary repatriation, including assistance to returnees, as appropriate, or, wherever appropriate, through integration in countries of asylum or resettlement in third countries;

9. *Notes with appreciation* the continuing support given to the High Commissioner by organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, in carrying out his humanitarian task and requests the High Commissioner to continue to co-ordinate his efforts with those agencies and organizations;

10. *Calls upon* all States to promote durable solutions and to contribute generously to the High Commissioner's humanitarian programmes in order to assist refugees, displaced persons and returnees in a spirit of international solidarity and burden-sharing.

*100th plenary meeting  
16 December 1983*

### 38/122. International campaign against traffic in drugs

*The General Assembly,*

*Recalling* its resolutions 36/132 of 14 December 1981, 36/168 of 16 December 1981, 37/168 of 17 December 1982, 37/198 of 18 December 1982 and 38/98 of 16 December 1983,

*Recalling also* Economic and Social Council resolutions 1982/8 and 1982/9 of 30 April 1982,

*Reaffirming* the need to improve and maintain regional and interregional co-operation and co-ordination, particularly in the field of law enforcement, to counter drug trafficking and drug abuse,

*Noting* the growing interest in the development of regional and interregional co-ordination, as indicated by the holding of three meetings in the Bahamas, Greece and India during 1983,

*Conscious* that while many countries, both developed and developing, continue to divert substantial human, financial and other resources to combat the illicit traffic, the developing countries encounter particular hardships in doing so,

*Acknowledging* that the illicit production of, demand for and traffic in narcotic drugs and psychotropic substances constitute a serious threat to the development and security of many countries, especially developing countries,

*Recognizing*, in particular, the dilemma of transit States, which have no control over the production of and demand for illicit narcotic drugs and psychotropic substances yet are seriously affected, both at the domestic and the international levels, by the movement of illicit drugs,

*Noting* that the international drug control treaties include provisions for the development of effective countermeasures to combat the illicit supply of, demand for and traffic in narcotic drugs and psychotropic substances,

*Considering* the important role of the United Nations Fund for Drug Abuse Control in supporting various drug control programmes in developing countries, and the necessity of increasing contributions to the Fund to permit it to continue its most valuable work,

*Having considered* the report of the Secretary-General,<sup>181</sup>

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Calls upon* Member States that have not yet done so to ratify the international drug control treaties and, until such time, to endeavour to abide by the provisions thereof;

3. *Encourages* Member States to contribute, or to continue to contribute, to the United Nations Fund for Drug Abuse Control to enable it to expand its support for programmes in the field of drug abuse control;

4. *Urges* organizations and programmes within the United Nations system, as well as Member States with available resources and expertise, to continue to grant technical and other forms of assistance, especially in the area of training of law enforcement professionals, to countries most affected by the illicit production of and traffic in drugs and drug abuse and, in this regard, to give appropriate priority to providing the resources and assistance needed to ensure rapid, secure and accurate means of communication and exchange of information;

<sup>179</sup> United Nations, *Treaty Series*, vol. 189, No. 2545, p. 137.

<sup>180</sup> *Ibid.*, vol. 606, No. 8791, p. 267.

<sup>181</sup> A. 38.478.

5. *Expresses its appreciation* to the Governments of the Bahamas, Greece and India for acting as hosts to regional and interregional meetings during 1983;

6. *Requests* the Secretary-General, through the Commission on Narcotic Drugs, to explore all avenues leading to a further improvement of regional and interregional co-ordination of activities against drug trafficking and drug abuse, in particular:

(a) To continue to pursue efforts and initiatives with a view to establishing, on a continuing basis, co-ordination mechanisms for drug law enforcement in regions where these do not yet exist;

(b) To give appropriate priority to measures designed to alleviate the special problems of transit States through co-operative regional and interregional efforts and, in this regard, to bring the present resolution to the attention of all regional and interregional meetings concerned with drug trafficking and drug abuse;

(c) To make every effort to convene, within the resources that may be made available to him, the interregional meeting of heads of national drug law enforcement agencies proposed in paragraph 5 (c) of General Assembly resolution 37/198;

7. *Also requests* the Secretary-General to prepare a report, for review by the General Assembly at its thirty-ninth session, on the progress achieved in the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "International campaign against traffic in drugs".

*100th plenary meeting  
16 December 1983*

### **38/123. National institutions for the protection and promotion of human rights**

*The General Assembly:*

*Recalling* its resolutions 32/123 of 16 December 1977, 33/46 of 14 December 1978, 34/49 of 23 November 1979 and 36/134 of 14 December 1981 concerning national institutions for the promotion and protection of human rights,

*Mindful* of the guidelines on the structure and functioning of national and local institutions for the promotion and protection of human rights, endorsed by the General Assembly in its resolution 33/46,

*Mindful also* of the need to create conditions, at the national, regional and international levels, for the protection and promotion of the human rights of individuals and peoples,

*Conscious* of the significant role which institutions at the national level can play in protecting and promoting human rights and fundamental freedoms and in developing and enhancing public awareness and observance of those rights and freedoms,

*Emphasizing* the importance of the Universal Declaration of Human Rights,<sup>182</sup> the International Covenants on Human Rights<sup>183</sup> and other international human rights instruments for promoting respect for and observance of human rights and fundamental freedoms.

1. *Takes note with appreciation* of the report of the Secretary-General;<sup>184</sup>

2. *Invites* all Member States to take appropriate steps for the establishment or, where they already exist, the

strengthening of national institutions for the protection and promotion of human rights:

3. *Emphasizes* the importance of the integrity and independence of such national institutions, in accordance with national legislation;

4. *Draws attention* to the constructive role that national non-governmental organizations can play in the work of national institutions;

5. *Recommends* that all Member States should take appropriate steps to encourage the exchange of experience in the establishment of national institutions;

6. *Requests* the Secretary-General to transmit his report to Governments and to invite them to submit additional information, comments and observations, with a view to developing further the various types of national institutions for the protection and promotion of human rights;

7. *Also requests* the Secretary-General, in the light of his previous reports and of further information received, to submit to the General Assembly at its thirty-ninth session an updated report providing detailed information on the various types of national and local institutions for the protection and promotion of human rights, taking into account differing social and legal systems and the contributions that national and local institutions can make towards the implementation of international human rights instruments;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the sub-item entitled "National institutions for the protection and promotion of human rights".

*100th plenary meeting  
16 December 1983*

### **38/124. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms**

*The General Assembly:*

*Recalling* that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to employ international machinery for the promotion of the economic and social advancement of all peoples,

*Recalling also* the purposes and principles of the Charter to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

*Reaffirming* the continued significance and validity of the Universal Declaration of Human Rights<sup>182</sup> and the importance of the International Covenants on Human Rights<sup>183</sup> in promoting respect for and observance of human rights and fundamental freedoms.

*Recalling* its resolution 32/130 of 16 December 1977, in which it decided that the approach to the future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

<sup>182</sup> Resolution 217 A (III).

<sup>183</sup> Resolution 2200 A (XXI), annex.

<sup>184</sup> A/38/416



*Recalling also* its resolutions 34/46 of 23 November 1979, 35/174 of 15 December 1980 and 36/133 of 14 December 1981,

*Recognizing* that the human being is the main subject of development and that everyone has the right to participate in, as well as to benefit from, the development process,

*Reiterating once again* that the establishment of the new international economic order is an essential element for the effective promotion and the full enjoyment of human rights and fundamental freedoms for all,

*Reiterating also* its profound conviction that equal attention and urgent consideration should be given to the implementation, protection and promotion of both civil and political and economic, social and cultural rights,

*Reaffirming* the importance of furthering the activities of the existing organs of the United Nations system in the field of human rights in conformity with the principles of the Charter,

*Underlining* the need for the creation of conditions at the national and international levels for the promotion and full protection of the human rights of individuals and peoples,

*Emphasizing* that Governments have the duty to ensure respect for all human rights and fundamental freedoms,

*Recognizing* that all human rights and fundamental freedoms are indivisible and interrelated and that the right to development is an inalienable human right,

*Reaffirming* that equality of opportunities for development is a prerogative both of nations and of individuals within nations,

*Emphasizing* that international peace and security are essential elements for the full realization of human rights, including the right to development,

*Recognizing* that, through disarmament, resources could be released to contribute in a meaningful way to the development of all States, particularly the developing countries,

*Reiterating* that co-operation among all nations on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of each people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

*Convinced* that the primary aim of such international co-operation must be the achievement by each human being of a life of freedom and dignity and freedom from want,

*Reaffirming* that nothing in the Universal Declaration of Human Rights may be interpreted as implying for any State, group or person the right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms set forth therein,

*Affirming* that the ultimate aim of development is the constant improvement of the well-being of the entire population, on the basis of its full participation in the process of development and a fair distribution of the benefits therefrom,

1. *Reiterates its request* that the Commission on Human Rights continue its current work on the overall analysis with a view to further promoting and improving human rights and fundamental freedoms, including the question of the Commission's programme and working methods, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms, in accordance with the provisions and concepts of General Assembly resolution 32/130 and other relevant texts;

2. *Affirms* that a primary aim of international co-operation in the field of human rights is a life of freedom and dignity for all peoples and for each human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the others;

3. *Affirms its profound conviction* that equal attention and urgent consideration should be given to the implementation, protection and promotion of both civil and political and economic, social and cultural rights;

4. *Reaffirms* that it is of paramount importance for the promotion of human rights and fundamental freedoms that Member States should undertake specific obligations through accession to, or ratification of, international instruments in this field and, consequently, that the standard-setting work within the United Nations system in the field of human rights and the universal acceptance and the implementation of the relevant international instruments should be encouraged;

5. *Reiterates* that the international community should accord, or continue to accord, priority to the search for solutions to mass and flagrant violations of the human rights of peoples and individuals affected by situations such as those mentioned in paragraph 1 (e) of its resolution 32/130, paying due attention also to other situations of violations of human rights;

6. *Reaffirms* its responsibility for achieving international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, and reaffirms that consistent patterns of violations of human rights, wherever they exist, are of concern to the United Nations;

7. *Expresses concern* at the present situation with regard to the achievement of the objectives and goals for establishing the new international economic order and its adverse effects on the full realization of human rights, in particular, the right to development;

8. *Reaffirms* that international peace and security are essential elements for the full realization of the right to development;

9. *Reaffirms also* that the right to development is an inalienable human right;

10. *Recognizes* that all human rights and fundamental freedoms are indivisible and interrelated;

11. *Considers* it necessary that all Member States promote international co-operation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of each people to choose freely its own socio-economic and political system, with a view to resolving international problems of an economic, social and humanitarian character;

12. *Expresses concern also* at the disparity existing between the established principles and the actual situation of all human rights and fundamental freedoms in various parts of the world;

13. *Urges* all States to co-operate with the Commission on Human Rights in the protection and promotion of human rights and fundamental freedoms;

14. *Reaffirms also* that, in order to facilitate the full enjoyment of all rights and complete personal dignity, it is necessary to promote the rights to education, work, health and proper nourishment through the adoption of measures at the national level, including those that provide for workers' participation in management, as well as the adoption of measures at the international level, including the establishment of the new international economic order;

15. *Requests* the Commission on Human Rights to take the necessary measures to promote the right to development, taking into account the results achieved by the Working Group of Governmental Experts on the Right to Development, which is engaged in the study of the scope and content of the right to development, and welcomes the decision of the Commission in its resolution 1982/17 of 9 March 1982,<sup>185</sup> reaffirmed in its resolution 1983/15 of 22 February 1983,<sup>186</sup> to the effect that the Working Group should continue its work with the aim of submitting as soon as possible a draft declaration on the right to development;

16. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

*100th plenary meeting  
16 December 1983*

### **38/125. New international humanitarian order**

*The General Assembly,*

*Recalling* its resolutions 36/136 of 14 December 1981 and 37/201 of 18 December 1982,

<sup>185</sup> See *Official Records of the Economic and Social Council, 1982, Supplement No. 2* (E/1982/12 and Corr.1), chap. XXVI, sect. A.  
<sup>186</sup> *Ibid.*, 1983, *Supplement No. 3* (E/1983/13 and Corr.1), chap. XXVII, sect. A.

*Taking note of* the reports of the Secretary-General,<sup>187</sup> *Bearing in mind* the need for seeking further the views of Governments regarding the proposal relating to a new international humanitarian order,

*Noting* the establishment in July 1983 of the Independent Commission on International Humanitarian Issues, outside the framework of the United Nations,

*Recognizing* that the work of the Independent Commission could be useful for further study of the proposal,

1. *Invites* Governments that have not yet done so to communicate to the Secretary-General their views regarding the proposal for the promotion of a new international humanitarian order;

2. *Requests* the Secretary-General to remain in contact with Governments, as well as with the Independent Commission on International Humanitarian Issues, in order to provide a comprehensive report on the subject to the General Assembly at its fortieth session;

3. *Decides* to review at its fortieth session the question of a new international humanitarian order.

*100th plenary meeting  
16 December 1983*

<sup>187</sup> A/37/145 and A. 38/450.

VII. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FOURTH COMMITTEE<sup>1</sup>

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## 38/40. Question of Western Sahara

*The General Assembly,*

*Having considered* in depth the question of Western Sahara,

*Taking account* of decision AHG/Res.103 (XVIII) on the question of Western Sahara,<sup>2</sup> adopted unanimously by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, as well as all the relevant resolutions of the Organization of African Unity, and reaffirming all the relevant resolutions of the United Nations on the question of Western Sahara,

1. *Takes note* of resolution AHG/Res.104 (XIX) on Western Sahara,<sup>3</sup> adopted unanimously by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983, which reads as follows:

*“The Assembly of Heads of State and Government of the Organization of African Unity, meeting in its nineteenth ordinary session in Addis Ababa, Ethiopia, from 6 to 12 June 1983,*

*“Having examined* the report of the Implementation Committee of Heads of State on Western Sahara,

*“Recalling* the solemn commitment made by His Majesty King Hassan II at the eighteenth ordinary session to accept the holding of a referendum in Western Sahara to enable the people of that territory to exercise their right to self-determination,

*“Recalling with appreciation* His Majesty King Hassan's acceptance of the recommendation of the sixth session of the *Ad Hoc* Committee of Heads of State on Western Sahara contained in document AHG/103 (XVIII) B, annex I, as well as his pledge to co-operate with the *Ad Hoc* Committee in the search for a just, peaceful and lasting solution,

<sup>1</sup> For the decisions adopted on the reports of the Fourth Committee, see sect. X.B.5.

<sup>2</sup> See A/36/534, annex II.

<sup>3</sup> See A/38/312, annex.

"*Reaffirming* its previous resolutions and decisions on the question of Western Sahara, and in particular AHG/Res.103 (XVIII) of 27 June 1981.

"1. *Takes note* of the report of the Implementation Committee of Heads of State on Western Sahara;

"2. *Urges* the parties to the conflict, the Kingdom of Morocco and the POLISARIO Front, to undertake direct negotiations with a view to bringing about a cease-fire to create the necessary conditions for a peaceful and fair referendum for self-determination of the people of Western Sahara, a referendum without any administrative or military constraints, under the auspices of the Organization of African Unity and the United Nations, and calls on the Implementation Committee to ensure the observance of the cease-fire;

"3. *Directs* the Implementation Committee to meet as soon as possible and, in collaboration with the parties to the conflict, to continue to work out the modalities and all other details relevant to the implementation of the cease-fire and the conduct of the referendum in December 1983;

"4. *Requests* the United Nations, in conjunction with the Organization of African Unity, to provide a peace-keeping force to be stationed in Western Sahara to ensure peace and security during the organization and conduct of the referendum;

"5. *Mandates* the Implementation Committee, with the participation of the United Nations, to take all necessary measures to ensure the proper implementation of this resolution;

"6. *Requests* the Implementation Committee to report to the Assembly of Heads of State and Government at its twentieth session on the result of the referendum with a view to enabling the Assembly at that session to reach a final decision on all aspects of the question of Western Sahara;

"7. *Decides* to remain seized with the question of Western Sahara;

"8. *Requests* the Implementation Committee in the discharge of its mandate to take account of the proceedings of the eighteenth and nineteenth ordinary sessions on the question of Western Sahara and to this end invites the Secretary-General of the Organization of African Unity to make available the full records of the said proceedings to the Committee;

"9. *Welcomes* the constructive attitude of the Sahrawi leaders in making it possible for the nineteenth ordinary session to meet by withdrawing from it voluntarily and temporarily."

2. *Requests* the Secretary-General to take the necessary steps to ensure that the United Nations participates effectively in the organization and conduct of the referendum and to report to the General Assembly and the Security Council on this subject and on the measures requiring a decision by the Council;

3. *Urges* the Secretary-General to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the pertinent decisions of the Organization of African Unity and of the present resolution;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western

Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-ninth session.

86th plenary meeting  
7 December 1983

### 38/41. Question of American Samoa

*The General Assembly,*

*Having considered* the question of American Samoa,

*Having examined* the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>4</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to American Samoa,

*Taking into account* the statement of the representative of the administering Power relating to developments in American Samoa,<sup>5</sup>

*Conscious* of the need to promote progress towards the full implementation of the Declaration in respect of American Samoa,

*Noting with appreciation* the continued participation of the administering Power in the work of the Special Committee in regard to American Samoa, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory,

*Reiterating* the view that it remains the obligation of the administering Power to carry out a thorough programme of political education so as to ensure that the people of American Samoa are made fully aware of their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV),

*Noting* that the Office of Economic Development and Planning of the Government of American Samoa is implementing a five-year economic development plan, focusing on economic diversification, land use, housing, banking and tourism, for the benefit of the people of the Territory,

*Aware* of the special circumstances of the geographical location and economic conditions of American Samoa and stressing the necessity of diversifying the economy of the Territory as a matter of priority in order to reduce its dependence on fluctuating economic activities,

*Mindful* that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to American Samoa;<sup>6</sup>

2. *Reaffirms* the inalienable right of the people of American Samoa to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. *Reiterates* the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy imple-

<sup>4</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 23 (A/38/23), chaps. III and XVI.*

<sup>5</sup> *Ibid., Thirty-eighth Session, Fourth Committee, 15th meeting, paras. 29-32.*

<sup>6</sup> *Ibid., Thirty-eighth Session, Supplement No. 23 (A/38/23), chap. XVI.*

mentation of the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to American Samoa;

4. *Calls upon* the Government of the United States of America, as the administering Power, to take all necessary steps, taking into account the freely expressed wishes of the people of American Samoa, to expedite the process of decolonization of the Territory in accordance with the relevant provisions of the Charter of the United Nations and the Declaration;

5. *Reaffirms* that it is the responsibility of the administering Power to ensure that the people of American Samoa are kept fully informed of their inalienable right to self-determination and independence, in accordance with General Assembly resolution 1514 (XV);

6. *Reiterates its recommendation* that, in accordance with the expressed wishes of the people of American Samoa, as reflected in the report of the second Political Status Commission, the Chief Justice and Associate Justices be appointed by the Governor and approved by the Legislature, a procedure which could be facilitated by the fact that a growing number of American Samoans are qualified lawyers;

7. *Reaffirms* the responsibility of the administering Power, under the Charter, for the economic and social development of the Territory;

8. *Calls upon* the administering Power, in co-operation with the territorial Government and within the framework of the five-year economic development plan covering the period 1979-1984, to continue to help to strengthen and diversify the economy of American Samoa in the interests of the people of the Territory;

9. *Urges* the administering Power to continue to facilitate close relations and co-operation between the people of the Territory and their neighbours and between the territorial Government and the regional institutions to enhance further the economic welfare of the people of American Samoa;

10. *Urges* the administering Power, in co-operation with the freely elected representatives of American Samoa, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures to ensure their right to own and dispose of those resources and to establish and maintain control of their future development;

11. *Considers* that the possibility of sending a further visiting mission to American Samoa at an appropriate time should be kept under review;

12. *Requests* the Special Committee to continue the consideration of this question at its next session, including the possible dispatch of a further visiting mission to American Samoa at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/42. Question of Guam

*The General Assembly,*

*Having considered* the question of Guam,

*Having examined* the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>7</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to Guam.

*Having heard* the statement of the representative of the administering Power,<sup>5</sup>

*Noting with appreciation* the continued active participation of the administering Power in the work of the Special Committee in regard to Guam, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory with a view to accelerating the process of decolonization towards the full and speedy implementation of the Declaration,

*Noting* that a referendum on political status was organized in the Territory, the final phase of which was held on 4 September 1982,

*Recalling* all relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories,

*Noting* the great potential for diversifying and developing the economy of Guam offered by commercial fishing, agriculture and the development of the transportation industry,

*Bearing in mind* that an obstacle to the economic development of the Territory has been the uncertainty concerning land held by the federal authorities,

*Aware* of the special circumstances of the geographical location and economic conditions of Guam and the necessity of diversifying the economy of the Territory as a matter of priority and noting the great potential for diversification offered by commercial fishing, agriculture and the development of the transportation industry,

*Mindful* that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Guam;<sup>8</sup>

2. *Reaffirms* the inalienable right of the people of Guam to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. *Reaffirms its conviction* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to Guam;

4. *Takes note* of the fact that in the referendum on political status, held on 4 September 1982, 75 per cent of the voters voted in favour of Commonwealth status in association with the United States of America and, in that connection, mindful of the principles contained in the Charter of the United Nations and in the Declaration, calls upon the administering Power, in co-operation with the territorial Government, to expedite the process of decolonization in accordance with the expressed wishes of the people of the Territory;

5. *Reaffirms its strong conviction* that the administering Power must ensure that military bases and installations do not hinder the population of the Territory from exercis-

<sup>7</sup> *Ibid.*, chaps. III, IV and XVII.

<sup>8</sup> *Ibid.*, chap. XVII.

ing its right to self-determination and independence in conformity with the purposes and principles of the Charter and urges the administering Power to take all necessary measures to comply fully with the relevant resolutions;

6. *Reaffirms* the responsibility of the administering Power, under the Charter, for the economic and social development of Guam and calls upon the administering Power to take all necessary steps to strengthen and diversify the economy of the Territory, with a view to reducing the Territory's economic dependence on the administering Power;

7. *Reiterates its call* upon the administering Power, in co-operation with the territorial Government, to remove the constraints which limit growth in the economic development of the Territory, particularly with regard to commercial fishing, agriculture and the transportation industry;

8. *Calls upon* the administering Power, in co-operation with the local authorities, to accelerate the transfer of land to the people of the Territory;

9. *Urges* the administering Power, in co-operation with the territorial Government, to continue to take effective measures to safeguard and guarantee the right of the people of Guam to their natural resources and to establish and maintain control over their future development and requests the administering Power to take all necessary steps to protect the property rights of the people of the Territory;

10. *Takes note* of the steps taken by the administering Power to strengthen its efforts to develop and promote the language and culture of the Chamorro people, who comprise more than half of the population of the Territory, and reaffirms the importance of further efforts in that field;

11. *Considers* that the possibility of sending a further visiting mission to Guam at an appropriate time should be kept under review;

12. *Requests* the Special Committee to continue the consideration of this question at its next session, including the possible dispatch of a further visiting mission to Guam at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/43. Question of Bermuda

*The General Assembly,*

*Having considered* the question of Bermuda,

*Having examined* the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>9</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to Bermuda,

*Taking into account* the statement of the representative of the administering Power relating to the Territory,<sup>10</sup> in which he said that his Government would fully respect the wishes of the people of Bermuda in determining the future constitutional status of the Territory,

*Conscious* of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

*Noting with appreciation* the continued active participation of the administering Power in the work of the Special Committee in regard to Bermuda, which contributes to informed consideration of conditions in the Territory, with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration,

*Recalling* all relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories,

*Noting* that the economy of the Territory continues to be based on revenue generated from tourism and the registration of foreign companies, which creates a heavy dependence on those activities,

*Aware* of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

*Mindful* that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Bermuda;<sup>11</sup>

2. *Reaffirms* the inalienable right of the people of Bermuda to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. *Reiterates* the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence, in conformity with the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to Bermuda;

4. *Urges* the administering Power, taking into account the freely expressed will and desire of the people of Bermuda, to continue to take all necessary steps to ensure the full and speedy implementation of General Assembly resolution 1514 (XV);

5. *Reiterates* that it is the obligation of the administering Power to create such conditions in the Territory as will enable the people of Bermuda to exercise freely and without interference their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV) and, in that connection, reaffirms the importance of fostering an awareness among the people of Bermuda of the possibilities open to them in the exercise of that right;

6. *Reaffirms* that, in accordance with the relevant provisions of the Charter of the United Nations and the Declaration contained in General Assembly resolution 1514 (XV), it is ultimately for the people of Bermuda themselves to decide on their future political status;

7. *Notes* that general elections were held in the Territory in February 1983 and also notes with interest that the Government of the Territory has expressed its intention to revive discussion of the 1979 White Paper on Indepen-

<sup>9</sup> *Ibid.*, chaps. III-V and XIX.

<sup>10</sup> *Ibid.*, *Thirty-eighth Session, Fourth Committee, 11th meeting*, paras. 9-16.

<sup>11</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 23 (A/38/23)*, chap. XIX.

dence and to promote public debate on Bermuda's future status;

8. *Reaffirms* the importance of the need to foster national unity and a national identity and takes note of the steps taken by the local authorities in that regard, such as the establishment of an institution with a view to preventing discrimination among the people of the Territory on racial, religious, social or political grounds;

9. *Reaffirms its strong conviction* that the administering Power must ensure that military bases and installations do not hinder the people of the Territory from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter and urges the administering Power to take all necessary measures to comply fully with the relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories;

10. *Urges once again* the administering Power, in co-operation with the territorial Government, to continue to take all effective measures to guarantee the right of the people of Bermuda to own and dispose of their natural resources and to establish and maintain control of their future development;

11. *Strongly urges* the administering Power, in consultation with the Government of Bermuda, to make every effort to diversify the economy of Bermuda, including increased efforts to promote agriculture and fisheries and the manufacturing sector for the benefit of the people of the Territory;

12. *Welcomes* the role being played in the Territory by the United Nations Development Programme in providing assistance in the fields of agriculture, forestry and fisheries and urges the specialized agencies and all other organizations of the United Nations system to continue to pay special attention to the development needs of Bermuda;

13. *Reiterates its call* upon the administering Power, in co-operation with the local authorities, to continue to expedite the process of "bermudianization" in the Territory and, in that connection, urges that particular attention be paid to greater localization of the public service;

14. *Calls upon* the Government of the United Kingdom of Great Britain and Northern Ireland to receive a visiting mission in the Territory at an appropriate time;

15. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a visiting mission to Bermuda at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/44. Question of the British Virgin Islands

*The General Assembly,*

*Having considered* the question of the British Virgin Islands,

*Having examined* the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>12</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Inde-

pendence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the British Virgin Islands.

*Taking into account* the statement of the representative of the administering Power relating to the Territory,<sup>10</sup> in which he said that his Government would fully respect the wishes of the people of the British Virgin Islands in determining the future political status of the Territory.

*Conscious* of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

*Noting with appreciation* the continued active participation of the administering Power in the work of the Special Committee in regard to the British Virgin Islands, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory, with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration.

*Reaffirming* the responsibility of the administering Power for the economic and social development of the Territory,

*Taking note* of the fact that the economy of the Territory has continued to grow during the period under review, particularly in the fields of real estate and construction industries, tourism and banking,

*Aware* of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

*Recalling* the recommendation of the United Nations visiting mission dispatched to the British Virgin Islands in 1976<sup>13</sup> that the administering Power should facilitate the participation of the Territory as an associate member in various organizations within the United Nations system as part of the overall strategy of accelerating the decolonization process, and the continuing assistance provided by the United Nations Development Programme in the development of the Territory.

*Mindful* that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the British Virgin Islands;<sup>14</sup>

2. *Reaffirms* the inalienable right of the people of the British Virgin Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. *Reiterates* the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy implementation of the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to the British Virgin Islands;

4. *Reiterates* that it is the responsibility of the administering Power to create such conditions in the Territory as will enable the people of the British Virgin Islands to exercise freely and without interference their inalienable right to self-determination and independence in accordance

<sup>12</sup> *Ibid.*, chaps. III and XX.

<sup>13</sup> *Ibid.*, *Thirty-first Session, Supplement No. 23 (A/31/23/Rev.1)*, vol. IV, chap. XXVIII, annex, para. 16.2.

<sup>14</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 23 (A/38/23)*, chap. XX.

with General Assembly resolution 1514 (XV), as well as all other relevant resolutions of the Assembly;

5. *Reaffirms* that it is ultimately for the people of the British Virgin Islands themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration and reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination;

6. *Calls upon* the administering Power, in consultation with the freely elected authorities of the territorial Government, to take all necessary steps to ensure the full and speedy attainment of the objectives of decolonization set out in the Charter and the Declaration and all other relevant resolutions of the United Nations;

7. *Notes* the continuing commitment of the territorial Government to the goal of economic diversification, particularly in the areas of agriculture, fisheries and small industries and reiterates its call upon the administering Power, in consultation with the local authorities, to intensify its efforts in this regard;

8. *Urges* the administering Power, in co-operation with the territorial Government, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures to ensure their right to own and dispose of those resources and to establish and maintain control of their future development;

9. *Urges* the specialized agencies and other organizations of the United Nations system, as well as regional institutions such as the Caribbean Development Bank, to take measures to accelerate progress in the social and economic life of the British Virgin Islands;

10. *Notes with satisfaction* the request of the British Virgin Islands, through the administering Power, for associate membership in the Economic Commission for Latin America and, in that connection, requests the administering Power to facilitate the participation of the Territory in various organizations within the United Nations system in an appropriate capacity;

11. *Considers* that the possibility of sending a further visiting mission to the British Virgin Islands at an appropriate time should be kept under review;

12. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a visiting mission to the British Virgin Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/45. Question of the Cayman Islands

*The General Assembly,*

*Having considered* the question of the Cayman Islands,

*Having examined* the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>15</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the Cayman Islands,

*Taking into account* the statement of the representative of the administering Power relating to the Territory,<sup>10</sup> in which he said that his Government would fully respect the wishes of the people of the Cayman Islands in determining the future constitutional status of the Territory.

*Conscious* of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

*Noting* that, in the period under review, the economy of the Territory has continued to sustain sound rates of growth, especially in the tourist, international finance and real estate industries.

*Mindful* that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

*Aware* of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further the economy as a matter of priority in order to promote economic stability,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Cayman Islands;<sup>16</sup>

2. *Reaffirms* the inalienable right of the people of the Cayman Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. *Reiterates* the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy implementation of the process of self-determination in accordance with the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to the Cayman Islands;

4. *Notes with appreciation* the participation of the administering Power in the work of the Special Committee in regard to the Cayman Islands, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory, with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration;

5. *Reiterates* that it is the responsibility of the administering Power to create such conditions in the Cayman Islands as will enable the people of the Territory to exercise freely and without interference their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV), as well as all other relevant resolutions of the Assembly;

6. *Reaffirms* that it is ultimately for the people of the Cayman Islands themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration and reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination;

7. *Reaffirms* the responsibility of the administering Power for the economic and social development of the Territory and urges it, in co-operation with the territorial Government, to render continuing support, to the fullest extent possible, to the development of programmes of economic diversification which will benefit the people of the Territory;

<sup>15</sup> *Ibid.*, chaps. III, V and XXI

<sup>16</sup> *Ibid.*, chap. XXI



8. *Urges* the administering Power, in co-operation with the territorial Government, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures to ensure their right to own and dispose of those resources and to establish and maintain control of their future development;

9. *Urges* the specialized agencies and other organizations of the United Nations system, as well as regional institutions such as the Caribbean Development Bank, to take all the necessary measures to accelerate progress in the social and economic life of the Cayman Islands;

10. *Notes* the continuing assistance provided to the Territory by the United Nations Development Programme;

11. *Considers* that the possibility of sending a further visiting mission to the Cayman Islands at an appropriate time should be kept under review;

12. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a visiting mission to the Cayman Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/46. Question of Montserrat

*The General Assembly,*

*Having considered* the question of Montserrat,

*Having examined* the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>17</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

*Recalling also* its resolution 37/27 of 23 November 1982 on the question of Montserrat,

*Recalling* the dispatch, in 1975 and 1982, of United Nations visiting missions to the Territory,

*Taking into account* the statement of the representative of the administering Power,<sup>18</sup> in which he said that the policy of his Government was to respect the wishes of the people of the Territory in determining their future political status,

*Reaffirming* the responsibility of the administering Power for the economic and social development of the Territory,

*Noting* that during the period under review the economy of Montserrat grew in real terms and that in recent years no budgetary grant-in-aid from the administering Power has been considered necessary to balance the regular budget of the Territory,

*Noting* that an in-service review of the organization and training needs of the public service was undertaken in 1982 and that priority would be given to the establishment of a civil service training centre,

*Mindful* of the responsibility of the United Nations to help the people of Montserrat to realize their aspirations in accordance with the objectives set forth in the Declaration,

*Noting* the assistance being rendered by those organizations of the United Nations system operating in the Territory,

*Aware* of the special problems facing the Territory by virtue of its isolation, small size, limited resources and lack of infrastructure,

*Mindful* that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories visited,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Montserrat;<sup>19</sup>

2. *Reaffirms* the inalienable right of the people of Montserrat to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960;

3. *Reiterates* the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to Montserrat;

4. *Notes with appreciation* the continued participation of the administering Power in the work of the Special Committee, which enables it to conduct a more meaningful examination of the situation in the Territory with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration;

5. *Reiterates* that it is the responsibility of the administering Power to create such conditions in Montserrat as will enable its people to exercise freely and without interference their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV), as well as all other relevant resolutions of the Assembly;

6. *Reaffirms* that it is ultimately for the people of Montserrat themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration and reiterates its call upon the administering Power to launch, in co-operation with the territorial Government, programmes of political education so that the people of Montserrat may be fully informed of the options available to them in the exercise of their right to self-determination and independence;

7. *Calls upon* the administering Power to continue, in co-operation with the territorial Government, to strengthen the economy and to increase its assistance to programmes of diversification;

8. *Takes note* of the growth of the manufacturing, construction and tourist industries and urges the administering Power, in co-operation with the territorial Government, to intensify the development of other sectors of the economy, in particular agriculture, livestock and fisheries, for the benefit of the people of the Territory;

9. *Urges* the administering Power, in co-operation with the territorial Government, to continue to take effective measures to safeguard, guarantee and ensure the rights of the people of Montserrat to own and dispose of their natural resources and to establish and maintain control of their future development;

<sup>17</sup> *Ibid.*, chaps. III and XXII.

<sup>18</sup> *Ibid.*, *Thirty-eighth Session, Fourth Committee*, 11th meeting, paras. 9-16.

<sup>19</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 23 (A/38/23)*, chap. XXII.

10. *Also urges* the administering Power, in co-operation with the territorial Government, to continue to render the assistance necessary for the localization of the civil service, particularly at senior levels;

11. *Takes note* of the continued participation of the Territory in the work of the Caribbean Group for Co-operation and Economic Development, as well as such regional organizations as the Caribbean Community and the Caribbean Development Bank, and calls upon the organizations of the United Nations system, as well as donor Governments and regional organizations, to intensify their efforts to accelerate progress in the economic and social life of the Territory;

12. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Montserrat at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/47. Question of the Turks and Caicos Islands

*The General Assembly,*

*Having considered* the question of the Turks and Caicos Islands,

*Having examined* the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>20</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the Turks and Caicos Islands,

*Taking into account* the statement of the representative of the administering Power relating to the Territory,<sup>18</sup> in which he said that his Government would fully respect the wishes of the people of the Turks and Caicos Islands in determining the future constitutional status of the Territory, and bearing in mind the importance of fostering an awareness among the people of the Territory of the possibilities open to them,

*Conscious* of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

*Noting with appreciation* the participation of the administering Power in the work of the Special Committee in regard to the Turks and Caicos Islands, thereby enabling it to conduct a more meaningful examination of the situation in the Territory,

*Aware* of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability and to develop a wider economic base for the Territory,

*Recalling* all relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories,

*Noting* the assistance rendered by the United Nations Development Programme in the development of the Territory and welcoming the attendance of a delegation from the Turks and Caicos Islands at the Fifth Annual Confer-

ence of the Caribbean Group for Co-operation and Economic Development, held under the auspices of the World Bank,

*Noting* the arrangements made for university training abroad and for vocational training in the Territory,

*Mindful* that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Turks and Caicos Islands;<sup>21</sup>

2. *Reaffirms* the inalienable right of the people of the Turks and Caicos Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. *Reiterates* the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right as set out in the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to the Turks and Caicos Islands;

4. *Reiterates* that it is the obligation of the administering Power to create such conditions in the Turks and Caicos Islands as will enable the people of the Territory to exercise freely and without interference their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV), as well as all other relevant resolutions of the Assembly;

5. *Reaffirms* that it is the responsibility of the administering Power under the Charter of the United Nations to develop its dependent Territories economically and socially and urges the administering Power, in consultation with the territorial Government, to take the necessary measures to promote the economic and social development of the Turks and Caicos Islands and, in particular, to intensify and expand its programme of assistance in order to accelerate the development of the economic and social infrastructure of the Territory;

6. *Emphasizes* that greater attention should be paid to diversification of the economy, particularly in the promotion of agriculture and fisheries, for the benefit of the people of the Territory;

7. *Recalls* that it is the responsibility of the administering Power, in accordance with the freely expressed wishes of the people of the Territory, to safeguard, guarantee and ensure the inalienable right of the people to the enjoyment of their natural resources by taking effective measures to guarantee their right to own and dispose of those resources and to establish and maintain control of their future development;

8. *Urges* the specialized agencies and other organizations of the United Nations system, as well as regional institutions such as the Caribbean Development Bank, to continue to pay special attention to the development needs of the Turks and Caicos Islands;

9. *Reaffirms its strong conviction* that the administering Power must ensure that military bases and installations do not hinder the people of the Territory from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter

<sup>20</sup> *Ibid.*, chaps. III-V and XXIII.

<sup>21</sup> *Ibid.*, chap. XXIII.

and urges the administering Power to take all necessary measures to comply fully with the relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories;

10. *Requests* the administering Power, in consultation with the territorial Government, to continue to provide the assistance necessary for the training of qualified local personnel in the skills essential to the development of various sectors of society in the Territory;

11. *Considers* that the possibility of sending a further visiting mission to the Turks and Caicos Islands at an appropriate time should be kept under review;

12. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the Turks and Caicos Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

86th plenary meeting  
7 December 1983

### 38/48. Question of the United States Virgin Islands

*The General Assembly,*

*Having considered* the question of the United States Virgin Islands,

*Having examined* the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>22</sup>

*Recalling* its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the United States Virgin Islands,

*Noting with appreciation* the continued participation of the administering Power in the work of the Special Committee in regard to the United States Virgin Islands, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory, and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

*Having heard* the statement of the representative of the administering Power,<sup>23</sup>

*Recalling* that it had urged the administering Power to expedite the passage of legislation placed before the Congress of the United States of America concerning the problem of aliens in the Territory,

*Noting* that the territorial Government has intensified its efforts to expand and diversify the economy and noting also with concern that the international recession has adversely affected the main sectors of the Territory's economy,

*Reiterating* the view that the participation of Territories as associate members in organizations of the United Nations system is a part of the overall strategy of accelerating the decolonization process,

*Noting with satisfaction* the efforts to revitalize health care programmes and to discourage juvenile delinquency, the measures to improve crime prevention and the action taken to expand and upgrade school facilities,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the United States Virgin Islands;<sup>24</sup>

2. *Reaffirms* the inalienable right of the people of the United States Virgin Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. *Reiterates* the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy implementation of the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to the United States Virgin Islands;

4. *Reiterates* that it is the responsibility of the administering Power to create such conditions in the United States Virgin Islands as will enable the people of the Territory freely to exercise without interference their inalienable right to self-determination and independence in conformity with General Assembly resolution 1514 (XV);

5. *Calls upon* the administering Power, taking into account the freely expressed wishes of the people of the United States Virgin Islands, to take all necessary steps to expedite the process of decolonization in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, as well as all other relevant resolutions and decisions of the General Assembly;

6. *Welcomes* the enactment by the Congress of the United States of America of the Virgin Islands Alien Adjustment Act;

7. *Takes note* of the fact that the Governor of the United States Virgin Islands has introduced legislation to provide for a constitutional convention to discuss political status alternatives and has recommended that a referendum on the Convention's proposals be held simultaneously with the general election in 1984;

8. *Reaffirms* the responsibility of the administering Power under the Charter for the economic and social development of the Territory;

9. *Urges* the administering Power, in co-operation with the territorial Government, to strengthen the economy of the Territory by taking additional measures of diversification in all fields and developing an adequate infrastructure with a view to reducing its economic dependence on the administering Power;

10. *Notes with satisfaction* the recommendation of the Virgin Islands Status Commission that the Territory become an associate member of the Economic Commission for Latin America and calls upon the administering Power to facilitate the application of the Territory for associate membership in the Economic Commission for Latin America and its subsidiary bodies, including the Caribbean Development and Co-operation Committee;

11. *Urges* the administering Power, in co-operation with the Government of the United States Virgin Islands, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures which guarantee the right of the people to own and dispose of those resources and to establish and maintain control of their future development;

12. *Urges* the administering Power, in co-operation with the territorial Government, to continue to improve

<sup>22</sup> *Ibid.*, chaps. III, IV and XXIV.

<sup>23</sup> *Ibid.*, Thirty-eighth Session, Fourth Committee, 15th meeting, paras. 29-32.

<sup>24</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 23 (A/38/23), chap. XXIV.

social conditions and to pay particular attention to overcoming problems of unemployment, public housing, health care, education and crime and, in that connection, notes with satisfaction the efforts to revitalize health care programmes and to discourage juvenile delinquency, the measures to improve crime prevention and the action taken to expand and upgrade school facilities;

13. *Considers* that the possibility of sending a further visiting mission to the United States Virgin Islands at an appropriate time should be kept under review;

14. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the United States Virgin Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/49. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

*The General Assembly,*

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations<sup>25</sup> and the action taken by the Committee in respect of that information,

*Having also examined* the report of the Secretary-General on the question,<sup>26</sup>

*Recalling* its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter and to take such information fully into account in examining the situation with regard to the implementation of the Declaration,

*Recalling also* its resolution 37/29 of 23 November 1982, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

*Noting* the decision of the Government of the United Kingdom of Great Britain and Northern Ireland to resume transmission of information with respect to Anguilla, under Article 73 *e* of the Charter,<sup>27</sup>

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations;

2. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government under the terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

<sup>25</sup> *Ibid.*, chap. VII.

<sup>26</sup> A/38/477.

<sup>27</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 23 (A/38/23)*, chap. VII, para. 8.

<sup>28</sup> *Ibid.*, chap. V.

3. *Requests* the administering Powers concerned to transmit, or continue to transmit, to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

4. *Requests* the Special Committee to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

### 38/50. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa

*The General Assembly,*

*Having considered* the item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa",

*Having examined* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to this question,<sup>28</sup>

*Taking into consideration* the relevant chapter of the report of the United Nations Council for Namibia,<sup>29</sup>

*Having considered* the report of the United Nations Centre on Transnational Corporations,<sup>30</sup> relating to the preparation of a register indicating the profits that transnational corporations derive from their activities in colonial Territories, submitted in pursuance of General Assembly resolution 37/31 of 23 November 1982,

*Recalling* its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration, as well as all other resolutions of the United Nations relating to the item,

*Reaffirming* the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

*Taking into account* the relevant provisions of the Paris Declaration on Namibia and the Programme of Action on Namibia,<sup>31</sup> adopted at the International Conference in

<sup>29</sup> *Ibid.*, Supplement No. 24 (A/38/24), part two, chap. IV.

<sup>30</sup> A/38/444, annex.

<sup>31</sup> *Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983 (A/CONF.120/13)*, paras. 165-195 and 220-242.

Support of the Struggle of the Namibian People for Independence.

*Reaffirming* that any economic or other activity which impedes the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstructs efforts aimed at the elimination of colonialism, *apartheid* and racial discrimination in southern Africa and other colonial Territories is in direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

*Reaffirming* that the natural resources of all Territories under colonial and racist domination are the heritage of the peoples of those Territories and that the exploitation and depletion of those resources by foreign economic interests, in particular in Namibia, in association with the occupying régime of South Africa, constitute a direct violation of the rights of the peoples and of the principles of the Charter and all relevant resolutions of the United Nations,

*Bearing in mind* the relevant provisions of the Economic Declaration and other documents of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>32</sup>

*Taking into account* the relevant provisions of the Arusha Declaration and Programme of Action on Namibia,<sup>33</sup> adopted by the United Nations Council for Namibia on 13 May 1982 at its extraordinary plenary meeting held at Arusha, United Republic of Tanzania.

*Noting with profound concern* that the colonial Powers and certain States, through their activities in the colonial Territories, have continued to disregard United Nations decisions relating to the item and that they have failed to implement, in particular, the relevant provisions of General Assembly resolutions 2621 (XXV) and 37/31, by which the Assembly called upon all Governments that had not yet done so to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories, particularly in Africa, which are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories,

*Condemning* the intensified activities of those foreign economic, financial and other interests which continue to exploit the natural and human resources of the colonial Territories and to accumulate and repatriate huge profits to the detriment of the interests of the inhabitants, particularly in the case of Namibia, thereby impeding the realization by the peoples of the Territories of their legitimate aspirations for self-determination and independence,

*Strongly condemning* the support which the racist minority régime of South Africa continues to receive from those foreign economic, financial and other interests which are collaborating with it in the exploitation of the natural and human resources of the international Territory of Namibia, in the further entrenchment of its illegal racist domination over the Territory and in the strengthening of its system of *apartheid*,

*Strongly condemning* the investment of foreign capital in the production of uranium and the collaboration of certain Western States and other States with the racist minority régime of South Africa in the nuclear field which, by

providing that régime with nuclear equipment and technology, enable it to develop nuclear and military capabilities and to become a nuclear Power, thereby promoting South Africa's continued illegal occupation of Namibia,

*Reaffirming* that the resources of Namibia are the inviolable heritage of the Namibian people and that the exploitation of those resources by foreign economic interests under the protection of the illegal colonial administration, in violation of the Charter, of the relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974,<sup>34</sup> and in disregard of the advisory opinion of the International Court of Justice of 21 June 1971,<sup>35</sup> is illegal and contributes to the maintenance of the illegal occupation régime,

*Concerned* about the conditions in other colonial Territories, including certain Territories in the Caribbean and the Pacific regions, where foreign economic, financial and other interests continue to deprive the indigenous populations of their rights over the wealth of their countries, and where the inhabitants of those Territories continue to suffer from a loss of land ownership as a result of the failure of the administering Powers concerned to restrict the sale of land to foreigners, despite the repeated appeals of the General Assembly,

*Conscious* of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of natural and human resources, which impedes the independence of colonial Territories and the elimination of racism, particularly in southern Africa,

1. *Reaffirms* the inalienable right of the peoples of dependent Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. *Reiterates* that any administering or occupying Power that deprives the colonial peoples of the exercise of their legitimate rights over their natural resources or subordinates the rights and interests of those peoples to foreign economic and financial interests violates the solemn obligations it has assumed under the Charter of the United Nations;

3. *Reaffirms* that, by their depletive exploitation of natural resources, the continued accumulation and repatriation of huge profits and the use of those profits for the enrichment of foreign settlers and the entrenchment of colonial domination and racial discrimination in the Territories, the activities of foreign economic, financial and other interests operating at present in the colonial Territories, particularly in southern Africa, constitute a major obstacle to political independence and racial equality, as well as to the enjoyment of the natural resources of those Territories by the indigenous inhabitants;

4. *Condemns* the activities of foreign economic and other interests in the colonial Territories impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism, *apartheid* and racial discrimination;

5. *Condemns* the policies of Governments that continue to support or collaborate with those foreign economic and other interests engaged in exploiting the natural

<sup>32</sup> See A/38/132-S/15675 and Corr.1 and 2, annex.

<sup>33</sup> Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 24 (A/37/24), para. 767

<sup>34</sup> *Ibid.*, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

<sup>35</sup> *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, I.C.J. Reports 1971, p. 16.

and human resources of the Territories, including, in particular, illegally exploiting Namibia's marine resources, violating the political, economic and social rights and interests of the indigenous peoples and thus obstructing the full and speedy implementation of the Declaration in respect of those Territories;

6. *Strongly condemns* the collusion of the Governments of certain Western States and other States with the racist minority régime of South Africa in the nuclear field and calls upon those and all other Governments to refrain from supplying that régime, directly or indirectly, with installations that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

7. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to monitor closely the situation in other Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interests of the indigenous peoples and their speedy accession to independence and that those peoples are not exploited for political, military and other purposes detrimental to their interests;

8. *Strongly condemns* those Western States and all other States, as well as the transnational corporations, which continue their investments in, and supply of armaments and oil and nuclear technology to, the racist régime of South Africa, thus buttressing it and aggravating the threat to world peace;

9. *Calls upon* all States, in particular certain Western States, to take urgent, effective measures to terminate all collaboration with South Africa in the political, diplomatic, economic, trade, military and nuclear fields and to refrain from entering into other relations with the racist régime of South Africa in violation of the relevant resolutions of the United Nations and of the Organization of African Unity;

10. *Calls once again upon* all Governments that have not yet done so to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories, particularly in Africa, which are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

11. *Calls upon* all States to terminate, or cause to have terminated, any investments in Namibia or loans to the racist minority régime of South Africa and to refrain from any agreements or measures to promote trade or other economic relations with that régime;

12. *Requests* all States that have not yet done so to take effective measures to end the supply of funds and other forms of assistance, including military supplies and equipment, to the racist minority régime of South Africa, which uses such assistance to repress the people of Namibia and their national liberation movement;

13. *Strongly condemns* South Africa for its continued exploitation and plundering of the natural resources of Namibia, in complete disregard of the legitimate interests of the Namibian people, for the creation in the Territory of an economic structure dependent essentially upon its mineral resources and for its illegal extension of the territorial sea and its proclamation of an economic zone off the coast of Namibia;

14. *Calls upon* those oil-producing and oil-exporting countries that have not yet done so to take effective meas-

ures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the racist régime of South Africa;

15. *Reiterates* that the exploitation and plundering of the natural resources of Namibia by South African and other foreign economic interests, including the activities of those transnational corporations which are engaged in the exploitation and export of the Territory's uranium ores and other resources, in violation of the relevant resolutions of the General Assembly and the Security Council and of Decree No. 1 for the Protection of the Natural Resources of Namibia, are illegal and contribute to the maintenance of the illegal occupation régime;

16. *Calls upon* the Governments of all States, particularly those whose corporations are involved in the mining and processing of Namibian uranium, to take all appropriate measures in compliance with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, including the practice of requiring negative certificates of origin, to prohibit and prevent State-owned and other corporations, together with their subsidiaries, from dealing in Namibian uranium and from engaging in uranium prospecting activities in Namibia;

17. *Requests* all States to take legislative, administrative and other measures, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with General Assembly resolutions ES-8/2 of 14 September 1981, 36/121 B of 10 December 1981 and 37/233 A of 20 December 1982;

18. *Calls once again upon* all States to discontinue all economic, financial and trade relations with the racist minority régime of South Africa concerning Namibia and to refrain from entering into any relations with South Africa, purporting to act on behalf of or concerning Namibia, which may lend support to its continued illegal occupation of that Territory;

19. *Invites* all Governments and organizations of the United Nations system, having regard to the relevant provisions of the Declaration on the Establishment of a New International Economic Order, contained in General Assembly resolution 3201 (S-VI) of 1 May 1974, and of the Charter of Economic Rights and Duties of States, contained in Assembly resolution 3281 (XXIX) of 12 December 1974, to ensure, in particular, that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

20. *Calls upon* the administering Powers to abolish all discriminatory and unjust wage systems and working conditions prevailing in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

21. *Requests* the Secretary-General to continue, through the Department of Public Information of the Secretariat, a sustained and broad campaign with a view to informing world public opinion of the facts concerning the pillaging of natural resources in colonial Territories and the exploitation of their indigenous populations by foreign monopolies and, in respect of Namibia, the support they render to the racist minority régime of South Africa;

22. *Appeals* to all non-governmental organizations to continue their campaign to mobilize international public opinion for the enforcement of economic and other sanctions against the Pretoria régime;

23. *Takes note* of the register prepared by the United Nations Centre on Transnational Corporations and requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peo-

ples to take due account of the register in connection with its consideration of the related items:

24. *Requests* the Special Committee to continue to examine this question and to report thereon to the General Assembly at its thirty-ninth session.

*86th plenary meeting  
7 December 1983*

**38/51. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations**

*The General Assembly,*

*Having examined* the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

*Recalling* the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, and the Plan of Action for the Full Implementation of the Declaration, contained in the annex to its resolution 35/118 of 11 December 1980, as well as all other relevant resolutions adopted by the General Assembly on this subject, in particular resolution 36/52 of 24 November 1981 on the item and 37/233 of 20 December 1982 on the question of Namibia,

*Having examined* the reports submitted on the item by the Secretary-General,<sup>36</sup> the Economic and Social Council<sup>37</sup> and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>38</sup>

*Taking into account* the relevant provisions of the Paris Declaration on Namibia and the Programme of Action on Namibia<sup>31</sup> adopted at the International Conference in Support of the Struggle of the Namibian People for Independence,

*Bearing in mind* the relevant provisions of the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>32</sup> and other documents of the Co-ordinating Bureau of the Non-Aligned Countries,

*Aware* that the struggle of the people of Namibia for self-determination and independence is in its crucial stage and has sharply intensified as a consequence of the stepped-up aggression by the illegal colonialist régime of Pretoria against the people of the Territory and the increased general support rendered to that régime by certain Western countries, especially the United States of America and Israel, coupled with efforts to deprive the Namibian people of their hard-won victories in the liberation struggle, and that it is therefore incumbent upon the entire international community decisively to intensify concerted action in support of the people of Namibia and their sole and authentic representative, the South West Africa People's Organization, for the attainment of their goal.

*Deeply conscious* of the critical need of the Namibian people and their national liberation movement, the South West Africa People's Organization, and of the peoples of

other colonial Territories for concrete assistance from the specialized agencies and other organizations of the United Nations system in their struggle for liberation from colonial rule and in their efforts to achieve and consolidate their national independence.

*Reaffirming* the responsibility of the specialized agencies and other organizations of the United Nations system to take all the necessary measures, within their respective spheres of competence, to ensure the full and speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions of the United Nations, particularly those relating to the provision of moral and material assistance, on a priority basis, to the peoples of the colonial Territories and their national liberation movements,

*Deeply concerned* that, although there has been progress in the extension of assistance to refugees from Namibia, the action taken hitherto by the organizations concerned in providing assistance to the people of the Territory through their national liberation movement, the South West Africa People's Organization, still remains inadequate to meet the urgent and growing needs of the Namibian people.

*Expressing its confident hope* that closer contacts and consultations between the specialized agencies and other organizations of the United Nations system and the Organization of African Unity and the national liberation movement concerned will help to overcome procedural and other difficulties which have impeded or delayed the implementation of some assistance programmes.

*Recalling* its resolution 37/233 C of 20 December 1982, requesting all specialized agencies and other organizations and conferences of the United Nations system to grant full membership to the United Nations Council for Namibia as the legal Administering Authority for Namibia,

*Expressing its appreciation* to the General Secretariat of the Organization of African Unity for the continued co-operation and assistance extended by it to the specialized agencies and other organizations of the United Nations system in connection with the implementation of the relevant resolutions of the United Nations.

*Expressing its appreciation also* to the Governments of the front-line States for the steadfast support extended to the people of Namibia and their national liberation movement, the South West Africa People's Organization, in their just and legitimate struggle for the attainment of freedom and independence, despite increased armed attacks by the forces of the racist régime of South Africa, and aware of the particular needs of those Governments for assistance in that connection.

*Noting* the efforts of the United Nations Development Programme in the extension of assistance to the national liberation movements and commending its initiative in establishing channels for closer periodic contacts and consultations between the specialized agencies and other organizations of the United Nations system and the Organization of African Unity and the national liberation movements in the formulation of assistance programmes.

*Noting also* the support given by the specialized agencies and other organizations of the United Nations system to the implementation of the Nationhood Programme for Namibia, in accordance with General Assembly resolution 32/9 A of 4 November 1977.

*Deploring* the continued links with and assistance rendered to South Africa by certain specialized agencies in the financial, economic, technical and other fields, in contravention of the relevant resolutions of the United Nations.

<sup>36</sup> A/38/111 and Add.1 and 2, Add.3 and Corr.1 and Add.4.

<sup>37</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 3 (A/38/3)*, chaps. 1 and VI.

<sup>38</sup> *Ibid.*, Supplement No. 23 (A/38/23), chap. VI.

*Gravely concerned*, in particular, at the continued collaboration between the International Monetary Fund and the Government of South Africa in disregard of relevant General Assembly resolutions, especially resolution 37/2 of 21 October 1982,

*Bearing in mind* the importance of the activities of non-governmental organizations aimed at putting an end to the assistance which is still being rendered to South Africa by some specialized agencies,

*Mindful* of the necessity of keeping under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the question;<sup>38</sup>

2. *Reaffirms* that the specialized agencies and other organizations and bodies of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute, within their spheres of competence, to the full and speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the struggle of colonial peoples to exercise their right to self-determination and independence entails, as a corollary, the extension by the specialized agencies and other organizations of the United Nations system of all the necessary moral and material assistance to those peoples and their national liberation movements;

4. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system which have continued to co-operate in varying degrees with the United Nations and the Organization of African Unity in the implementation of the Declaration and other relevant resolutions of the United Nations and urges all the specialized agencies and other organizations of the United Nations system to accelerate the full and speedy implementation of the relevant provisions of those resolutions;

5. *Expresses its concern* that the assistance extended thus far by certain specialized agencies and other organizations of the United Nations system to the colonial peoples, particularly the people of Namibia and their national liberation movement, the South West Africa People's Organization, is far from adequate in relation to the actual needs of the peoples concerned;

6. *Requests* all specialized agencies and other organizations and bodies of the United Nations system, in accordance with the relevant resolutions of the General Assembly and the Security Council, to take all necessary measures to withhold from the racist régime of South Africa any form of co-operation and assistance in the financial, economic, technical and other fields and to discontinue all support to that régime until the people of Namibia have exercised fully their inalienable right to self-determination, freedom and national independence in a united Namibia and until the inhuman system of *apartheid* has been totally eradicated;

7. *Reiterates its conviction* that the specialized agencies and other organizations and bodies of the United Nations

system should refrain from taking any action which might imply recognition of the legitimacy of, or support for, the domination of the Territory by the racist régime of South Africa;

8. *Regrets* that, notwithstanding the statement of the representative of the World Bank on 8 June 1983 that the Bank has terminated business relations with the South African régime,<sup>39</sup> the World Bank and the International Monetary Fund continue to maintain links with the racist régime of Pretoria, as exemplified by the continued membership of South Africa in both agencies, and expresses the view that the two agencies should put an end to all links with the racist régime;

9. *Strongly condemns* the persistent collaboration between the International Monetary Fund and South Africa, in disregard of repeated resolutions to the contrary by the General Assembly, particularly the granting of a loan of \$1.1 billion to South Africa in November 1982 in defiance of General Assembly resolution 37/2, and calls upon the International Monetary Fund to rescind the loan and to put an end to such collaboration;

10. *Commends* those non-governmental organizations which, by their activities, as exemplified by the co-operation between the Center for International Policy and the United Nations Council for Namibia, are helping to inform public opinion, in the United States of America and elsewhere, and mobilize it against the assistance rendered by the International Monetary Fund to South Africa, and calls upon all non-governmental organizations to redouble their efforts in this respect;

11. *Urges* the executive heads of the World Bank and the International Monetary Fund to draw the particular attention of their governing bodies to the present resolution, with a view to formulating specific programmes beneficial to the peoples of the colonial Territories, particularly Namibia;

12. *Requests* the specialized agencies and other organizations of the United Nations system to render or continue to render, as a matter of urgency, all possible moral and material assistance to the colonial peoples struggling for liberation from colonial rule, bearing in mind that such assistance should not only meet their immediate needs but also create conditions for development after they have exercised their right to self-determination and independence;

13. *Once again requests* the specialized agencies and other organizations of the United Nations system to continue to provide all moral and material assistance to the newly independent and emerging States;

14. *Reiterates its recommendation* that the specialized agencies and other organizations of the United Nations system should initiate or broaden contacts and co-operation with the colonial peoples and their national liberation movements directly or, where appropriate, through the Organization of African Unity, and review and introduce greater flexibility in their procedures with respect to the formulation and preparation of assistance programmes and projects so as to be able to extend the necessary assistance without delay to help the colonial peoples and their national liberation movements in their struggle to exercise their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV);

15. *Notes with satisfaction* that the South West Africa People's Organization continues to be the beneficiary of a number of programmes established within the framework of the United Nations Institute for Namibia at Lusaka and

<sup>39</sup> See A/AC.109/L.1/187/Add.1, para. 146.



that the United Nations Council for Namibia, in co-operation with the South West Africa People's Organization, continues to represent the people of Namibia at meetings of the specialized agencies and other organizations of the United Nations system, and urges those agencies and organizations to increase their assistance to the South West Africa People's Organization, as well as to the United Nations Institute for Namibia and the Nationhood Programme for Namibia;

16. *Urges* the specialized agencies and other organizations of the United Nations system that have not already done so to include in the agenda of the regular meetings of their governing bodies a separate item on the progress they have made in the implementation of the Declaration and the other relevant resolutions of the United Nations;

17. *Notes with satisfaction* the arrangements made by several specialized agencies and other organizations of the United Nations system which enable representatives of the national liberation movements recognized by the Organization of African Unity to participate fully as observers in the proceedings relating to matters concerning their respective countries, and calls upon those agencies and organizations that have not yet done so to follow this example and to make the necessary arrangements without delay;

18. *Notes with satisfaction* the admittance of Namibia, represented by the United Nations Council for Namibia, as a member of the International Atomic Energy Agency and the International Telecommunication Union, in accordance with General Assembly resolution 37/233 C, and urges the specialized agencies and other organizations of the United Nations system that have not so far granted full membership to the United Nations Council for Namibia to do so without delay;

19. *Urges* the specialized agencies and other organizations and institutions of the United Nations system to extend, as a matter of priority, substantial material assistance to the Governments of the front-line States in order to enable them to support more effectively the struggle of the people of Namibia for freedom and independence and to resist the violation of their territorial integrity by the armed forces of the racist régime of South Africa directly or, as in Angola and Mozambique, through puppet traitor groups in the service of Pretoria;

20. *Urges* the specialized agencies and other organizations and institutions of the United Nations system to assist in accelerating progress in all sectors of the national life of the small Territories, particularly in the development of their economies;

21. *Recommends* that all Governments should intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of the Declaration and other relevant resolutions of the United Nations and, in that connection, that they should accord priority to the question of providing assistance on an emergency basis to the peoples of the colonial Territories and their national liberation movements;

22. *Reiterates its proposal*, under article III of the Agreement between the United Nations and the International Monetary Fund,<sup>40</sup> for the urgent inclusion in the agenda of the Board of Governors of the Fund of an item dealing with the relationship between the Fund and South Africa and further reiterates its proposal that, in pursuance of article II of the Agreement, the relevant organs of the United Nations should participate in any meeting of the

Board of Governors called by the Fund for the purpose of discussing the item and urges the Fund to discuss its relationship with South Africa at its annual meeting in September 1984, in compliance with the above-mentioned Agreement;

23. *Recommends* the sending in 1984 of a high-level mission to the International Monetary Fund which, subject to the agreement of the United Nations bodies involved, would be composed of the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the President of the United Nations Council for Namibia and the Chairman of the Special Committee against *Apartheid*;

24. *Draws the attention* of the specialized agencies and other organizations of the United Nations system to the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in the annex to General Assembly resolution 35/118, in particular to those provisions calling on the agencies and organizations to render all possible moral and material assistance to the peoples of the colonial Territories and their national liberation movements;

25. *Urges* the executive heads of the specialized agencies and other organizations of the United Nations system, having regard to the provisions of paragraphs 14 and 24 above, to formulate, with the active co-operation of the Organization of African Unity where appropriate, and to submit, as a matter of priority, to their governing and legislative organs concrete proposals for the full implementation of the relevant United Nations decisions, in particular specific programmes of assistance to the peoples of the colonial Territories and their national liberation movements;

26. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

27. *Requests* the Economic and Social Council to continue to consider, in consultation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, appropriate measures for the co-ordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

28. *Requests* the Special Committee to continue to examine this question and to report thereon to the General Assembly at its thirty-ninth session.

86th plenary meeting  
7 December 1983

### 38/52. United Nations Educational and Training Programme for Southern Africa

*The General Assembly,*

*Recalling* its resolutions on the United Nations Educational and Training Programme for Southern Africa, in

<sup>40</sup> See *Agreements between the United Nations and the Specialized Agencies and the International Atomic Energy Agency* (United Nations publication Sales No. E/F.61.X.1), p. 61.

particular resolutions 36/53 of 24 November 1981 and 37/33 of 23 November 1982.

*Having considered* the report of the Secretary-General,<sup>41</sup> containing an account of the work of the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa and the operation of the Programme for the period from 1 October 1982 to 30 September 1983.

*Recognizing* the valuable assistance rendered by the Programme to the peoples of South Africa and Namibia.

*Strongly convinced* that the continuation and expansion of the Programme is essential in order to meet the increasing demand for educational and training opportunities by the peoples of South Africa and Namibia.

*Fully recognizing* the need to provide educational opportunities and counselling to student refugees in a wide variety of professional, cultural, technical and linguistic disciplines, particularly in the areas of development and international co-operation,

1. *Endorses* the report of the Secretary-General on the United Nations Educational and Training Programme for Southern Africa;

2. *Commends* the Secretary-General and the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa for their continued efforts to promote generous contributions to the Programme;

3. *Expresses its appreciation* to all those who have supported the Programme by providing contributions, scholarships or places in their educational institutions;

4. *Notes with concern* that, owing to inflation and rising scholarship costs, contributions and pledges have declined, in real terms, in 1983 from the corresponding figure in 1982;

5. *Appeals* to all States, institutions, organizations and individuals to offer greater financial and other support to the Programme in order to ensure its continuation and expansion.

86th plenary meeting  
7 December 1983

<sup>41</sup> A/38/469.

### 38/53. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

*The General Assembly,*

*Recalling* its resolution 37/34 of 23 November 1982,

*Having examined* the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories,<sup>42</sup> prepared pursuant to General Assembly resolution 845 (IX) of 22 November 1954,

*Considering* that more scholarships should be made available to the inhabitants of Non-Self-Governing Territories in all parts of the world and that steps should be taken to encourage applications from students in those Territories,

1. *Takes note* of the report of the Secretary-General;

2. *Expresses its appreciation* to those Member States that have made scholarships available to the inhabitants of Non-Self-Governing Territories;

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;

4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

86th plenary meeting  
7 December 1983

<sup>42</sup> A/38/549.

VIII. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIFTH COMMITTEE<sup>1</sup>

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### 38/30. Financial reports and audited financial statements and reports of the Board of Auditors

*The General Assembly,*

Having considered the financial reports and audited financial statements for the year ended 31 December 1982 of the United Nations Development Programme,<sup>2</sup> the United Nations Children's Fund,<sup>3</sup> the United Nations Relief and Works Agency for Palestine Refugees in the Near East,<sup>4</sup> the United Nations Institute for Training and Research,<sup>5</sup> the voluntary funds administered by the United Nations High Commissioner for Refugees<sup>6</sup> and the United Nations Fund for Population Activities,<sup>7</sup> the audit opinions of the Board of Auditors<sup>8</sup> and the report of the Advisory Committee on Administrative and Budgetary Questions,<sup>9</sup>

Taking into account the views expressed by delegations during the debate in the Fifth Committee,<sup>10</sup>

1. *Accepts* the financial reports and audited financial statements and the audit opinions of the Board of Auditors;

2. *Concurs* with the observations and comments made by the Advisory Committee on Administrative and Budgetary Questions in its report;

3. *Requests* the Board of Auditors and the Advisory Committee on Administrative and Budgetary Questions to continue to give greater attention to areas regarding which they have made observations and comments, including the problems relating to the use of experts and consultants, where appropriate;

4. *Requests* the executive heads of the organizations and programmes concerned within the United Nations system to take such remedial action in areas falling within their competence as may be required by the observations and comments made by the Board of Auditors in its reports;

5. *Invites* the governing bodies of the organizations concerned to consider each year at their regular sessions the remedial action taken by the respective executive heads in response to the observations and comments made by the Board of Auditors in its reports.

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25 November 1983

<sup>2</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 5A (A/38/5/Add.1).*

<sup>3</sup> *Ibid.*, Supplement No. 5B (A/38/5/Add.2).

<sup>4</sup> *Ibid.*, Supplement No. 5C (A/38/5/Add.3 and Corr.1).

<sup>5</sup> *Ibid.*, Supplement No. 5D (A/38/5/Add.4 and Corr.1).

<sup>6</sup> *Ibid.*, Supplement No. 5E (A/38/5/Add.5).

<sup>7</sup> *Ibid.*, Supplement No. 5G (A/38/5/Add.7).

<sup>8</sup> *Ibid.*, Supplement No. 5A (A/38/5/Add.1), sect. IV; *ibid.*, Supplement No. 5B (A/38/5/Add.2), sect. III; *ibid.*, Supplement No. 5C (A/38/5/Add.3 and Corr.1), sect. II; *ibid.*, Supplement No. 5D (A/38/5/Add.4 and Corr.1), sect. III; *ibid.*, Supplement No. 5E (A/38/5/Add.5), sect. II; and *ibid.*, Supplement No. 5G (A/38/5/Add.7), sect. IV.

### 38/31. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency

*The General Assembly*

1. *Notes with appreciation* the report of the Advisory Committee on Administrative and Budgetary Questions on the administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency;<sup>11</sup>

2. *Refers* to the organizations concerned the report of the Advisory Committee as well as the comments and observations made in the course of its consideration in the Fifth Committee;<sup>12</sup>

3. *Transmits* the report of the Advisory Committee to the Board of Auditors, the Panel of External Auditors, the Committee for Programme and Co-ordination and the Joint Inspection Unit for their information;

4. *Invites* the Advisory Committee to continue, in odd-numbered years, to conduct special studies and report thereon, as necessary, in accordance with the provisions of paragraph 5 (b) of General Assembly resolution 36/229 of 18 December 1981.

71st plenary meeting  
25 November 1983

### 38/32. Pattern of conferences

#### A

#### REPORT OF THE COMMITTEE ON CONFERENCES

*The General Assembly,*

Having considered the report of the Committee on Conferences,<sup>13</sup>

1. *Takes note with appreciation* of the report of the Committee on Conferences;

2. *Approves* the calendar of conferences and meetings of the United Nations for 1984-1985 as submitted by the Committee on Conferences,<sup>14</sup> subject to any amendments as a result of subsequent decisions taken by the General Assembly at its thirty-eighth session;

3. *Requests* the Secretary-General to take all appropriate measures with a view to achieving maximum efficiency and effectiveness in the use of conference resources when

<sup>9</sup> A/38/433.

<sup>10</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Fifth Committee, 5th-8th meetings*; and *ibid.*, Fifth Committee, *Sessional Fascicle*, corrigendum.

<sup>11</sup> A/38/515 and Corr.1.

<sup>12</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Fifth Committee, 24th and 33rd meetings*; and *ibid.*, Fifth Committee, *Sessional Fascicle*, corrigendum.

<sup>13</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 32 (A/38/32).

<sup>14</sup> *Ibid.*, annex II.

implementing the calendar of conferences and meetings for 1984-1985.

*71st plenary meeting  
25 November 1983*

## B

### MEMBERSHIP OF THE COMMITTEE ON CONFERENCES

*The General Assembly,*

*Recalling* its resolutions 3351 (XXIX) of 18 December 1974, 32/72 of 9 December 1977 and 35/10 A of 3 November 1980,

*Requests* the President of the General Assembly, after consultations with the chairmen of the regional groups, to appoint twenty-two Member States, on the basis of an equitable geographical balance, to serve on the Committee on Conferences for a three-year term.

*71st plenary meeting  
25 November 1983*

## C

### PATTERN OF CONFERENCES

*The General Assembly*

1. *Requests* the Committee on Conferences to examine the provisions of section I of General Assembly resolution 31/140 of 17 December 1976, as well as all other provisions relating to the pattern of conferences, and to report to the Assembly at its thirty-ninth session;

2. *Requests* the Secretary-General to bring to the attention of the Committee on Conferences the summary of the discussion in the Fifth Committee during the current session on the item entitled "Pattern of conferences",<sup>15</sup> including the text of all amendments proposed to draft resolution C recommended by the Committee on Conferences in paragraph 4 of its report.<sup>15</sup>

*71st plenary meeting  
25 November 1983*

## D

### SHORTENING OF SESSIONS OR ADOPTION OF A BIENNIAL CYCLE FOR SESSIONS OF UNITED NATIONS ORGANS

*The General Assembly,*

*Reaffirming* its resolutions 32/71, section IV, and 32/72 of 9 December 1977 and 35/10 A of 3 November 1980,

*Concerned* at the serious under-utilization of conference resources by United Nations organs,

1. *Takes note* of the proposals submitted by the Committee on Conferences designed to relieve the overloading of conference services;<sup>16</sup>

2. *Invites* the Committee on Conferences to pursue further its consultations with the officers of those organs which have over the past three years utilized 75 per cent or less of the conference resources made available to them, with a view to adjusting the length of their sessions accordingly;

3. *Requests* its subsidiary organs to consider, in the interests of greater efficiency, meeting and reporting on a biennial basis;

<sup>15</sup> *Ibid.*, Thirty-eighth Session, Fifth Committee, 4th, 8th, 9th and 25th meetings; and *ibid.*, Fifth Committee, Sessional Fascicle, corrigendum.

4. *Requests* United Nations organs, especially those which have over the past few years under-utilized the meeting time allocated to them, to consider at their organizational sessions the question of improving the organization of their work in order to secure a more effective use of conference resources and to put forward concrete proposals on this matter, including, where feasible, the shortening of sessions;

5. *Invites* United Nations organs to hold informal consultations with the aim of reaching agreement on organizational questions as well as on the composition of the bureaux before the opening of their substantive sessions.

*71st plenary meeting  
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## E

### CONTROL AND LIMITATION OF DOCUMENTATION

*The General Assembly,*

*Recalling* its resolution 2292 (XXII) of 8 December 1967, 2538 (XXIV) of 11 December 1969, 2732 (XXV) of 16 December 1970, 31/140, section II, of 17 December 1976, 33/56, section II, of 14 December 1978, 34/50 of 23 November 1979, 36/117 of 10 December 1981 and 37/14 C and D of 16 November 1982 and its decision 34/401 of 21 September, 25 October, 29 November and 12 December 1979,

1. *Recommends* to Member States that they take into consideration the aim of limiting to a minimum requests for the preparation of reports or the circulation of documents;

2. *Recommends* to Member States and specialized agencies that, when preparing their replies to questionnaires or submissions of organizations and programmes of the United Nations system, they take into consideration the aim of achieving maximum brevity in setting out their positions;

3. *Requests* the Secretary-General, when sending out such questionnaires, to attach to them a reference to the present resolution;

4. *Invites* its subsidiary organs to include in their agenda an item on control and limitation of documentation with a view to ensuring the production of concise reports;

5. *Commends* the Secretary-General for his efforts in reducing the length and number of reports originating in the Secretariat and requests him to continue with these measures;

6. *Requests* the Secretary-General to examine ways of improving the drafting skills of Secretariat officials who are involved in the various phases of preparing final reports of United Nations bodies with a view to ensuring the production of more concise reports;

7. *Calls upon* its subsidiary organs not to reproduce in their reports the full text of earlier resolutions relevant to their work, but instead, as a frame of reference, to include a list of relevant documents in their reports, giving the exact titles and symbols;

8. *Decides* that the practice of reproducing statements *in extenso* as separate documents shall be discontinued for all its subsidiary organs that are entitled to summary records;

9. *Decides further* that any exceptions to this rule may be made by the body concerned only if the statements are

<sup>16</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 3, (A/38/32), paras. 13-25

to serve as bases for discussion and if, after hearing a statement of the relevant financial implications, the body decides that one or more statements *in extenso* may be included in the summary record, or reproduced as separate documents or as annexes to authorized documents;

10. *Requests* the Committee on Conferences to undertake a study of the feasibility of instituting an abbreviated form of summary record;

11. *Requests* the Committee on Conferences to examine the various causes of the late issuance of documents in the different official and working languages and to consider possible solutions to this problem;

12. *Urges* all treaty bodies to review their documentation requirements, with particular reference to the possible reduction of their need for summary records;

13. *Invites* the Committee on Conferences to examine the report to be issued by the Joint Inspection Unit on publications policy and practice in the United Nations system;

14. *Requests* its subsidiary organs responsible for the issuance of recurrent publications to review them with the objective of identifying and discontinuing those which no longer serve a useful purpose;

15. *Invites* the Economic and Social Council similarly to request its subsidiary organs responsible for recurrent publications to undertake such a review;

16. *Requests* the Committee for Programme and Coordination to review recurrent publications in the context of the medium-term plan or the programme budget, as appropriate;

17. *Recommends* that, in conducting their reviews, intergovernmental bodies bear in mind the following criteria:

(a) Usefulness to the end-user of the publication as gauged from end-user response or from the sales record of a publication;

(b) Filling of a need;

(c) High standard of analysis or data;

(d) Promotion of the principles and purposes of the Organization;

(e) Continued validity of the original mandate;

(f) Recommendations of the Joint Inspection Unit in its report on publications policy and practice in the United Nations system, if applicable.

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## F

### IMPROVED ORGANIZATION OF WORK AND EFFECTIVE USE OF CONFERENCE RESOURCES

#### *The General Assembly*

1. *Requests* the Secretary-General to provide the Committee on Conferences with data in summary form on:

(a) The physical and human conference-servicing resources for United Nations Headquarters and United Nations offices generally, including rooms available and documentation, interpretation and translation capacity, in a format enabling comparison of the demand and the conference-servicing capacity for all categories of meetings of

United Nations organs—scheduled, anticipated to the extent possible, and held—grouped according to subject-matter;

(b) External conference servicing available to the United Nations in case of urgent or unforeseen demands on the calendar;

2. *Requests* the Secretary-General to submit to all United Nations bodies the relevant information requested under paragraph 1 above as supplementary data for their implementation of the present resolution.

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\*  
\* \*

*The President of the General Assembly subsequently informed the Secretary-General [A/38/758] that, in accordance with resolution B above, he had appointed the twenty-two members of the Committee on Conferences.*

*As a result, the Committee on Conferences is composed of the following Member States: ALGERIA, AUSTRIA, BAHAMAS, BULGARIA, BYELORUSSIAN SOVIET SOCIALIST REPUBLIC, CHILE, CYPRUS, FRANCE, GERMANY, FEDERAL REPUBLIC OF, HONDURAS, INDONESIA, ITALY, JAPAN, KENYA, MEXICO, NIGERIA, SENEGAL, SRI LANKA, TUNISIA, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and UNITED STATES OF AMERICA.*

### 38/33. Scale of assessments for the apportionment of the expenses of the United Nations

#### *The General Assembly,*

*Recalling* its resolution 37/125 B of 17 December 1982,

*Having examined* the report of the Committee on Contributions,<sup>17</sup>

*Recognizing* the need for an improved methodology to assess the real capacity to pay of Member States, in order to increase the fairness and equity of the scale of assessments,

*Mindful* of the obligation of Member States to bear the expenses of the Organization as apportioned by the General Assembly according to the real capacity to pay,

1. *Takes note* of the report of the Committee on Contributions on the work in progress,<sup>18</sup> as requested in General Assembly resolution 37/125 B;

2. *Requests* the Committee on Contributions to carry out the mandate entrusted to it by resolution 37/125 B, taking into account the views expressed by Member States during the thirty-seventh and thirty-eighth sessions of the General Assembly;

3. *Invites* the Secretary-General to provide the Committee on Contributions with the facilities it requires to carry out its work and, if requested by the Committee, necessary supplementary assistance;

4. *Requests* the Secretary-General in particular to forward to the members of the Committee on Contributions the studies prepared by the Statistical Office of the Secretariat as soon as possible after each study has been completed.

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25 November 1983

<sup>17</sup> *Ibid.*, Supplement No. 11 (A/38/11); and A/38/11/Add.1 and Add.1 Corr.2.

<sup>18</sup> *Ibid.*, Supplement No. 11 (A/38/11), sects. II-IV.

**38/35. Financing of the United Nations Disengagement Observer Force****A**

*The General Assembly,*

*Having considered* the report of the Secretary-General on the financing of the United Nations Disengagement Observer Force,<sup>19</sup> as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>20</sup>

*Bearing in mind* Security Council resolutions 350 (1974) of 31 May 1974, 363 (1974) of 29 November 1974, 369 (1975) of 28 May 1975, 381 (1975) of 30 November 1975, 390 (1976) of 28 May 1976, 398 (1976) of 30 November 1976, 408 (1977) of 26 May 1977, 420 (1977) of 30 November 1977, 429 (1978) of 31 May 1978, 441 (1978) of 30 November 1978, 449 (1979) of 30 May 1979, 456 (1979) of 30 November 1979, 470 (1980) of 30 May 1980, 481 (1980) of 26 November 1980, 485 (1981) of 22 May 1981, 493 (1981) of 23 November 1981, 506 (1982) of 26 May 1982, 524 (1982) of 29 November 1982, 531 (1983) of 26 May 1983 and 543 (1983) of 29 November 1983,

*Recalling* its resolutions 3101 (XXVIII) of 11 December 1973, 3211 B (XXIX) of 29 November 1974, 3374 C (XXX) of 2 December 1975, 31/5 D of 22 December 1976, 32/4 C of 2 December 1977, 33/13 D of 8 December 1978, 34/7 C of 3 December 1979, 35/44 of 1 December 1980, 35/45 A of 1 December 1980, 36/66 A of 30 November 1981 and 37/38 A of 30 November 1982,

*Reaffirming* its previous decisions regarding the fact that, in order to meet the expenditures caused by such operations, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

*Taking into account* the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards peace-keeping operations involving heavy expenditures,

*Bearing in mind* the special responsibilities of the States permanent members of the Security Council in the financing of such operations, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963 and other resolutions of the Assembly,

**I**

*Decides* to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of \$17,186,496 gross (\$16,983,996 net) authorized and apportioned by section III of Assembly resolution 37/38 A for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 30 November 1983, inclusive;

**II**

1. *Decides* to appropriate to the Special Account an amount of \$17,489,500 for the operation of the United Nations Disengagement Observer Force for the period from 1 December 1983 to 31 May 1984, inclusive;

2. *Decides further*, as an *ad hoc* arrangement, without prejudice to the positions of principle that may be taken by Member States in any consideration by the General Assembly of arrangements for the financing of peace-keeping operations, to apportion the amount of \$17,489,500 among Member States in accordance with the

scheme set out in Assembly resolution 3101 (XXVIII) and the provisions of section II, paragraphs 2 (b) and 2 (c), and section V, paragraph 1, of resolution 3374 C (XXX), section V, paragraph 1, of resolution 31/5 D, section V, paragraph 1, of resolution 32/4 C, section V, paragraph 1, of resolution 33/13 D, section V, paragraph 1, of resolution 34/7 C, section V, paragraph 1, of resolution 35/45 A, section V, paragraph 1, of resolution 36/66 A and section V, paragraph 1, of resolution 37/38 A, in the proportions determined by the scale of assessments for the years 1983, 1984 and 1985;

3. *Decides* that there shall be set off against the apportionment among Member States, as provided in paragraph 2 above, their respective share in the estimated income of \$10,000 other than staff assessment income approved for the period from 1 December 1983 to 31 May 1984, inclusive;

4. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 2 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of \$199,500 approved for the period from 1 December 1983 to 31 May 1984, inclusive;

**III**

*Authorizes* the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force at a rate not to exceed \$2,914,916 gross (\$2,880,000 net) per month for the period from 1 June to 30 November 1984 inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 543 (1983), the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

**IV**

1. *Stresses* the need for voluntary contributions to the United Nations Disengagement Observer Force, both in cash and in the form of services and supplies acceptable to the Secretary-General;

2. *Requests* the Secretary-General to take all necessary action to ensure that the United Nations Disengagement Observer Force is conducted with a maximum of efficiency and economy.

*79th plenary meeting  
1 December 1983*

**B**

*The General Assembly,*

*Having regard* to the financial position of the Special Account for the United Nations Emergency Force and the United Nations Disengagement Observer Force, as set forth in the report of the Secretary-General,<sup>19</sup> and referring to paragraph 5 of the report of the Advisory Committee on Administrative and Budgetary Questions,<sup>20</sup>

*Mindful* of the fact that it is essential to provide the United Nations Disengagement Observer Force with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

*Concerned* that the Secretary-General is continuing to face growing difficulties in meeting the obligations of the

<sup>19</sup> A/38/472 and Corr.1.

<sup>20</sup> A.38.588.

Forces on a current basis, particularly those due to the Governments of troop-contributing States.

*Recalling* its resolutions 33/13 E of 14 December 1978, 34/7 D of 17 December 1979, 35/45 B of 1 December 1980, 36/66 B of 30 November 1981 and 37/38 B of 30 November 1982,

*Recognizing* that, in consequence of the withholding of contributions by certain Member States, the surplus balances in the Special Account for the United Nations Emergency Force and the United Nations Disengagement Observer Force have, in effect, been drawn upon to the full extent to supplement the income received from contributions for meeting expenses of the Forces,

*Concerned* that the application of the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations would aggravate the already difficult financial situation of the Forces.

*Decides* that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations shall be suspended in respect of the amount of \$5,191,637, which otherwise would have to be surrendered pursuant to those provisions, this amount to be entered into the account referred to in the operative part of General Assembly resolution 33/13 E and held in suspense until a further decision is taken by the Assembly.

79th plenary meeting  
1 December 1983

### 38/38. Financing of the United Nations Interim Force in Lebanon

#### A

*The General Assembly,*

*Having considered* the report of the Secretary-General on the financing of the United Nations Interim Force in Lebanon<sup>21</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>22</sup>

*Bearing in mind* Security Council resolutions 425 (1978) and 426 (1978) of 19 March 1978, 427 (1978) of 3 May 1978, 434 (1978) of 18 September 1978, 444 (1979) of 19 January 1979, 450 (1979) of 14 June 1979, 459 (1979) of 19 December 1979, 474 (1980) of 17 June 1980, 483 (1980) of 17 December 1980, 488 (1981) of 19 June 1981, 498 (1981) of 18 December 1981, 501 (1982) of 25 February 1982, 511 (1982) of 18 June 1982, 519 (1982) of 17 August 1982, 523 (1982) of 18 October 1982, 529 (1983) of 18 January 1983, 536 (1983) of 18 July 1983 and 538 (1983) of 18 October 1983,

*Recalling* its resolutions S-8/2 of 21 April 1978, 33/14 of 3 November 1978, 34/9 B of 17 December 1979, 35/44 of 1 December 1980, 35/115 A of 10 December 1980, 36/138 A of 16 December 1981, 36/138 C of 19 March 1982 and 37/127 A of 17 December 1982,

*Reaffirming* its previous decisions regarding the fact that, in order to meet the expenditures caused by such operations, a different procedure from the one applied to meet expenditures of the regular budget of the United Nations is required,

*Taking into account* the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards peace-keeping operations involving heavy expenditures,

*Bearing in mind* the special responsibilities of the States permanent members of the Security Council in the financing of peace-keeping operations decided upon in accordance with the Charter of the United Nations.

#### I

*Decides* to appropriate to the Special Account referred to in section I, paragraph 1, of General Assembly resolution S-8/2 an amount of \$15,229,666 gross (\$15,087,833 net), being the amount authorized and apportioned under the provisions of section V of Assembly resolution 37/127 A for the operation of the United Nations Interim Force in Lebanon from 19 December 1982 to 18 January 1983, inclusive;

#### II

*Decides* to appropriate to the Special Account an amount of \$80,331,000 gross (\$79,466,000 net), being the amount authorized with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and apportioned under the provisions of section VI of General Assembly resolution 37/127 A for the operation of the United Nations Interim Force in Lebanon from 19 January to 18 July 1983, inclusive;

#### III

*Decides* to appropriate to the Special Account an amount of \$40,379,000 gross (\$39,925,000 net), being the amount authorized with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and apportioned under the provisions of section VI of General Assembly resolution 37/127 A for the operation of the United Nations Interim Force in Lebanon from 19 July to 18 October 1983, inclusive;

#### IV

*Decides* to appropriate to the Special Account an amount of \$23,482,000 gross (\$23,162,000 net), being the amount authorized with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and apportioned under the provisions of section VI of General Assembly resolution 37/127 A for the operation of the United Nations Interim Force in Lebanon from 19 October to 18 December 1983, inclusive;

#### V

1. *Decides* to appropriate to the Special Account an amount of \$46,964,000 for the operation of the United Nations Interim Force in Lebanon for the period from 19 December 1983 to 18 April 1984, inclusive;

2. *Decides further*, as an *ad hoc* arrangement, without prejudice to the positions of principle that may be taken by Member States in any consideration by the General Assembly of arrangements for the financing of peace-keeping operations, to apportion the amount of \$46,964,000 among Member States in accordance with the scheme set out in Assembly resolution 33/14 and the provisions of section V, paragraph 1, of resolution 34/9 B, section VI, paragraph 1, of resolution 35/115 A, section VI, paragraph 1, of resolution 36/138 A and section IX, paragraph 1, of resolution 37/127 A, in the proportions determined by the scale of assessments for the years 1983, 1984 and 1985;

3. *Decides* that there shall be set off against the apportionment among Member States, as provided in paragraph

<sup>21</sup> A/38/473 and Corr.1.

<sup>22</sup> A/38/589.



2 above, their respective share in the estimated income of \$13,333 other than staff assessment income approved for the period from 19 December 1983 to 18 April 1984, inclusive;

4. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 2 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of \$626,667 approved for the period from 19 December 1983 to 18 April 1984, inclusive;

## VI

*Authorizes* the Secretary-General to enter into commitments for the operation of the United Nations Interim Force in Lebanon at a rate not to exceed \$11,741,000 gross (\$11,581,000 net) per month for the period from 19 April to 18 December 1984, inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 538 (1983), subject to obtaining the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for the actual level of commitments to be entered into for each mandate period that may be approved subsequent to 19 April 1984, the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

## VII

1. *Renews its invitation* to Member States to make voluntary contributions to the United Nations Interim Force in Lebanon both in cash and in the form of services and supplies acceptable to the Secretary-General;

2. *Invites* Member States to make voluntary contributions in cash to the Suspense Account established in accordance with its resolution 34/9 D of 17 December 1979;

## VIII

*Requests* the Secretary-General to take all necessary action to ensure that the United Nations Interim Force in Lebanon shall be administered with a maximum of efficiency and economy.

*83rd plenary meeting  
5 December 1983*

## B

*The General Assembly,*

*Having regard* to the financial position of the Special Account for the United Nations Interim Force in Lebanon, as set forth in the report of the Secretary-General,<sup>21</sup> and referring to paragraph 7 of the report of the Advisory Committee on Administrative and Budgetary Questions,<sup>22</sup>

*Mindful* of the fact that it is essential to provide the United Nations Interim Force in Lebanon with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

*Concerned* that the Secretary-General is continuing to face growing difficulties in meeting the obligations of the United Nations Interim Force in Lebanon on a current basis, particularly those due to the Governments of troop-contributing States,

*Recalling* its resolutions 34/9 E of 17 December 1979, 35/115 B of 10 December 1980, 36/138 B of 16 December 1981 and 37/127 B of 17 December 1982,

*Recognizing* that, in consequence of the withholding of contributions by certain Member States, the surplus balances in the Special Account for the United Nations Interim Force in Lebanon have, in effect, been drawn upon to the full extent to supplement the income received from contributions for meeting expenses of the Force,

*Concerned* that the application of the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations would aggravate the already difficult financial situation of the United Nations Interim Force in Lebanon,

*Decides* that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations shall be suspended in respect of the amount of \$5,599,876, which otherwise would have to be surrendered pursuant to those provisions, this amount to be entered in the account referred to in the operative part of General Assembly resolution 34/9 E and held in suspense until a further decision is taken by the Assembly.

*83rd plenary meeting  
5 December 1983*

## 38/226. Programme budget for the biennium 1982-1983

## A

## FINAL BUDGET APPROPRIATIONS FOR THE BIENNIUM 1982-1983

*The General Assembly*

*Resolves* that for the biennium 1982-1983:

1. The amount of \$US 1,472,961,700 appropriated by its resolution 37/243 A of 21 December 1982 shall be decreased by \$US 3,322,200 as follows:

Section	Amount appropriated by resolution 37/243 A	Increase or decrease	Final appropriation
<i>(US dollars)</i>			
<b>PART I. Overall policy-making direction and co-ordination</b>			
1. Overall policy-making, direction and co-ordination ...	38 849 500	(610 300)	38 239 200
TOTAL, PART I	38 849 500	(610 300)	38 239 200

Section	Amount appropriated by resolution 37/243 A	Increase or (decrease)	Final appropriation
	(US dollars)		
<i>PART II. Political and Security Council affairs: peace-keeping activities</i>			
2A. Political and Security Council affairs; peace-keeping activities .....	76 918 600	(385 300)	76 533 300
2B. Department for Disarmament Affairs .....	7 408 200	(22 100)	7 386 100
TOTAL, PART II	<u>84 326 800</u>	<u>407 400</u>	<u>83 919 400</u>
<i>PART III. Political affairs, trusteeship and decolonization</i>			
3. Political affairs, trusteeship and decolonization .....	21 106 700	(1 244 500)	19 862 200
TOTAL, PART III	<u>21 106 700</u>	<u>(1 244 500)</u>	<u>19 862 200</u>
<i>PART IV. Economic, social and humanitarian activities</i>			
4. Policy-making organs (economic and social activities) .	2 597 500	(67 200)	2 530 300
5A. Office of the Director-General for Development and International Economic Co-operation .....	3 280 500	(49 800)	3 230 700
5B. Centre for Science and Technology for Development ..	3 615 600	20 100	3 635 700
6. Department of International Economic and Social Affairs	43 669 700	126 000	43 795 700
7. Department of Technical Co-operation for Development	15 647 300	913 400	16 560 700
8. Office of Secretariat Services for Economic and Social Matters .....	3 200 500	(235 700)	2 964 800
9. Transnational corporations .....	9 000 300	(541 600)	8 458 700
10. Economic Commission for Europe .....	23 749 200	787 100	24 536 300
11. Economic and Social Commission for Asia and the Pacific .....	29 155 700	1 088 000	30 243 700
12. Economic Commission for Latin America .....	44 863 000	(443 900)	44 419 100
13. Economic Commission for Africa .....	37 302 500	337 100	37 639 600
14. Economic Commission for Western Asia .....	19 502 500	1 595 000	21 097 500
15. United Nations Conference on Trade and Development	52 411 700	(547 400)	51 864 300
16. International Trade Centre .....	8 293 700	(140 800)	8 152 900
17. United Nations Industrial Development Organization .	71 782 400	2 825 500	74 607 900
18. United Nations Environment Programme .....	11 404 600	(416 900)	10 987 700
19. United Nations Centre for Human Settlements (Habitat)	9 131 300	(1 482 700)	7 648 600
20. International drug control .....	5 881 000	(287 200)	5 593 800
21. Office of the United Nations High Commissioner for Refugees .....	28 939 900	(1 395 300)	27 544 600
22. Office of the United Nations Disaster Relief Co-ordinator .....	4 856 200	471 800	5 328 000
23. Human rights .....	10 789 600	415 000	11 204 600
24. Regular programme of technical co-operation .....	30 843 900	(414 300)	30 429 600
TOTAL, PART IV	<u>469 918 600</u>	<u>2 556 200</u>	<u>472 474 800</u>
<i>PART V. International justice and law</i>			
25. International Court of Justice .....	8 956 700	461 900	9 418 600
26. Legal activities .....	13 061 800	(338 900)	12 722 900
TOTAL, PART V	<u>22 018 500</u>	<u>123 000</u>	<u>22 141 500</u>
<i>PART VI. Public information</i>			
27. Public information .....	64 635 000	(2 316 800)	62 318 200
TOTAL, PART VI	<u>64 635 000</u>	<u>(2 316 800)</u>	<u>62 318 200</u>
<i>PART VII. Common support services</i>			
28. Administration and management .....	265 778 500	5 721 300	271 499 800
29. Conference and library services .....	245 223 500	(6 942 600)	238 280 900
TOTAL, PART VII	<u>511 002 000</u>	<u>(1 221 300)</u>	<u>509 780 700</u>

<i>Section</i>	<i>Amount appropriated by resolution 17 243 1</i>	<i>Increase or decrease</i>	<i>Final appropriation</i>
<i>(US dollars)</i>			
<b>PART VIII. Special expenses</b>			
30. United Nations bond issue .....	17 220 300	(302 000)	16 918 300
TOTAL, PART VIII	17 220 300	(302 000)	16 918 300
<b>PART IX. Staff assessment</b>			
31. Staff assessment .....	207 802 500	(684 100)	207 118 400
TOTAL, PART IX	207 802 500	(684 100)	207 118 400
<b>PART X. Capital expenditures</b>			
32. Construction, alteration, improvement and major maintenance of premises .....	36 081 800	(101 000)	35 980 800
TOTAL, PART X	36 081 800	(101 000)	35 980 800
<b>PART XI. Special grants</b>			
33. Advance to the United Nations Institute for Training and Research .....	—	886 000	886 000
TOTAL, PART XI	—	886 000	886 000
GRAND TOTAL	1 472 961 700	(3 322 200)	1 469 639 500

2. The Secretary-General shall be authorized to transfer credits between sections of the budget with the concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The total net provision made under the various sections of the budget for contractual printing shall be administered as a unit under the direction of the United Nations Publications Board;

4. The appropriations for the regular programme of technical co-operation under section 24, part IV, shall be administered in accordance with the Financial Regulations of the United Nations, except that the definition of obligations and the period of validity of obligations shall be subject to the following procedures:

(a) Obligations for personal services established in the current biennium shall be valid for the succeeding biennium, provided that appointments of the experts concerned are effected by the end of the current biennium and that the total period to be covered by obligations established for these purposes against the resources of the current biennium shall not exceed twenty-four work-months;

(b) Obligations established in the current biennium for fellowships shall remain valid until liquidated, provided that the fellow has been nominated by the requesting Government and accepted by the Organization and that a formal letter of award has been issued to the requesting Governments;

(c) Obligations in respect of contracts or purchase orders for supplies or equipment recorded in the current biennium will remain valid until payment is effected to the contractor or vendor, unless they are cancelled;

5. In addition to the appropriations voted under paragraph 1 above, an amount of \$19,000 is appropriated for each year of the biennium 1982-1983 from the accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment;

6. The Secretary-General shall be authorized to enter into commitments of up to \$1 million in 1984, to be drawn from the savings reported in respect of the biennium 1982-1983, for the resources required to initiate the activities called for in section II, paragraph 5, of General Assembly resolution 38/192 of 20 December 1983.

*104th plenary meeting  
20 December 1983*

## B

## FINAL INCOME ESTIMATES FOR THE BIENNIUM 1982-1983

*The General Assembly*

Resolves that for the biennium 1982-1983:

1. The estimates of income other than assessments on Member States in the amount of \$US 257,059,900 approved by its resolution 37/243 B of 21 December 1982 shall be decreased by \$US 374,200 as follows:

<i>Income section</i>	<i>Amount approved by resolution 37/243 B</i>	<i>Increase or decrease</i>	<i>Final approved estimates</i>
	<i>(US dollars)</i>		
<b>PART I. Income from staff assessment</b>			
1. Income from staff assessment .....	211 123 800	(978 700)	210 145 100
TOTAL, PART I	211 123 800	(978 700)	210 145 100
<b>PART II. Other income</b>			
2. General income .....	32 194 500	3 464 400	35 658 900
3. Revenue-producing activities .....	13 741 600	(2 859 900)	10 881 700
TOTAL, PART II	45 936 100	604 500	46 540 600
GRAND TOTAL	257 059 900	(374 200)	256 685 700

2. The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

3. Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services, garage operations, television services and the sale of publications, not provided for under the budget appropriations, shall be charged against the income derived from those activities.

*104th plenary meeting  
20 December 1983*

### 38/227. Programme planning and co-ordination within the United Nations system

## A

## PROGRAMME PLANNING

*The General Assembly,*

Recalling its resolution 3043 (XXVII) of 19 December 1972, in which it approved the new form of presentation of the United Nations budget,

Recalling also its resolutions 3199 (XXVIII) of 18 December 1973, 3534 (XXX) of 17 December 1975, 31/93 of 14 December 1976, 32/197 of 20 December 1977, 32/206 of 21 December 1977, 33/118 of 19 December 1978, 34/224 of 20 December 1979, 35/9 of 3 November 1980, 36/228 of 18 December 1981 and 37/234 of 21 December 1982, in which it elaborated further on the establishment of an integrated programme planning, budgeting, monitoring and evaluation system in the United Nations,

Having considered the report of the Committee for Programme and Co-ordination on the work of its twenty-third session,<sup>23</sup> the report of the Economic and Social Council<sup>24</sup> and the reports of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1984-1985,<sup>25</sup>

Having also considered the proposed programme budget for the biennium 1984-1985,<sup>26</sup> the reports of the Secretary-General on the set of rules governing programme planning, the programme aspects of the budget, the monitoring of implementation and methods of evaluation,<sup>27</sup> on the integration of the programme planning, budgeting, monitoring and evaluation functions in the Secretariat of the United Nations,<sup>28</sup> on the methods, procedures and timetable followed in the preparation of the proposed programme budget for the biennium 1984-1985,<sup>29</sup> and on strengthening the capacity of the United Nations evaluation units and systems and timetable for review of the evaluation programmes,<sup>30</sup> as well as the second report of the Joint Inspection Unit on the elaboration of regulations for the planning, programming and evaluation cycle of the United Nations,<sup>31</sup>

Concerned by the delay in the submission of the proposed programme budget for the biennium 1984-1985 to the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions,

Recalling the intention expressed by the Secretary-General to take the necessary measures to improve the effectiveness of the programme planning, budgeting, monitoring and evaluation system of the United Nations,<sup>32</sup>

Stressing that the budgetary policy of maximum restraint should not adversely affect the efficient and effective

<sup>23</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 38 (A/38/38).

<sup>24</sup> Ibid., Supplement No. 3 (A/38/3).

<sup>25</sup> Ibid., Supplement No. 7 (A/38/7 and Corr.1 and 2) and Supplement No. 7.1 (A/38/7/Add.1-23).

<sup>26</sup> Ibid., Supplement No. 6 (A/38/6 and Corr.1).

<sup>27</sup> A/38/126.

<sup>28</sup> A/C.5/38/6 and Corr.1.

<sup>29</sup> A/C.5/38/7.

<sup>30</sup> A/38/133 and Corr.1.

<sup>31</sup> See A/38/160.

<sup>32</sup> A/C.5/38/6 and Corr.1, para. 10.

tive implementation of the activities and programmes of the Organization.

*Taking note with satisfaction* of the improvements in the quality of the presentation of programmes in various sections of the proposed programme budget for the biennium 1984-1985,<sup>36</sup>

## I

### *Medium-term plan*

*Adopts* subprogramme 5 of programme 1 of chapter 21 (Social development and humanitarian affairs) and chapter 25 (Marine affairs) of the medium-term plan for the period 1984-1989,<sup>33</sup> as revised by the recommendations of the Committee for Programme and Co-ordination at its twenty-third session<sup>34</sup> and the Economic and Social Council in its resolutions 1983/48 and 1983/49 of 29 July 1983, and subject to any observations with regard to that subprogramme that may be formulated by the Third Committee of the General Assembly;

## II

### *Programme planning, programme aspects of the budget, monitoring of implementation and methods of evaluation*

1. *Requests* the Secretary-General to improve the programme analyses of all the sections of the programme budget and to strengthen the capacity of United Nations programme planning units and systems;

2. *Takes note* of the assurance given by the Secretary-General that he will take appropriate measures in order to avoid delays in the future in the issuance of documentation regarding the programme budget;<sup>35</sup>

3. *Takes note further* of the intention expressed by the Secretary-General to review the operation, structure and performance of the Secretariat in 1984;<sup>36</sup>

4. *Requests* the Secretary-General, in undertaking the review referred to in paragraph 3 above, to take fully into account General Assembly resolution 32/197, in particular section VIII of the annex thereto, as well as the related views expressed by Member States during the thirty-eighth session, and to submit his proposals on organizational changes, if any, to the General Assembly at its thirty-ninth session;

5. *Also requests* the Secretary-General to include in his review of the Secretariat information on the measures taken to maximize and improve secretariat support to the Committee for Programme and Co-ordination, taking into account the recommendations contained in paragraphs 413 to 415 of the report of the Committee for Programme and Co-ordination,<sup>23</sup> and to report to the General Assembly at its thirty-ninth session, through the Committee for Programme and Co-ordination at its twenty-fourth session;

6. *Urges* the Secretary-General to issue as soon as possible the rules in implementation of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, adopted by the General Assembly at its thirty-seventh session, as requested by the Assembly in section II of its resolution 37/234, taking fully into account the recommendations of the Committee for Programme and Co-ordination at its twenty-third session;<sup>37</sup>

7. *Reaffirms its request* to the Secretary-General to provide the General Assembly with programme implications

of draft resolutions being considered by the Assembly in accordance with the following general guidelines:

(a) Each statement should be an integrated statement of programme, financial and administrative implications;

(b) Each statement should indicate how the activities proposed in the draft resolution fulfil or reinforce the objectives and strategies of the current legislative mandate;

(c) Each statement should provide, for decision by the General Assembly:

(i) An analysis and recommendation by the Secretary-General for the funding of the proposed activities;

(ii) An analysis of alternative solutions to the funding of the proposed activities through existing or additional appropriations;

(iii) Further indications of clear implications of the draft resolution with regard to the existing programmes within the relevant sections of the programme budget, in the case of possible funding through existing resources;

8. *Decides* that the adoption of new resolutions by the General Assembly will not imply the elimination of existing activities or programmes carried out as a result of legislative mandates, nor the elimination or reduction of resources appropriated to them by the Assembly, unless the Assembly expressly decides otherwise;

9. *Decides* that the fact that the Committee for Programme and Co-ordination will not normally be in a position to review the programme implications statements during the General Assembly should not prevent or delay their adoption by the Assembly, and their subsequent implementation by the Secretariat, unless the Assembly decides otherwise;

10. *Decides* that the review of integrated programme, financial and administrative implications statements shall be subject to the same procedures as specified in rule 153 of the rules of procedure of the General Assembly for the review of administrative and financial implications statements by the Assembly;

11. *Decides* that the new methods and procedures for the provision of programme, financial and administrative implications statements should apply initially only to draft resolutions and decisions submitted to the General Assembly during its sessions;

12. *Requests* the Secretary-General to report to the General Assembly at its fortieth session, through the Committee for Programme and Co-ordination at its twenty-fifth session, on the experience gained in implementing paragraph 7 above, in order for the Assembly to review the situation;

## III

### *Strengthening of the capacity of United Nations evaluation units and systems and timetable for review of the evaluation programme, requested under General Assembly resolutions 36/228 and 37/234, section II*

1. *Reaffirms* its resolution 36/228 B and deplores the continuing failure to implement its provisions;

2. *Reiterates* the need to strengthen the capacity of the United Nations evaluation units and systems, in particular those in the regional commissions, in accordance with the estimates of the Secretary-General contained in his report;<sup>38</sup>

<sup>33</sup> Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 6A (A/37/6/Add.1).

<sup>34</sup> *Ibid.*, Supplement No. 38 (A/38/38), part one, paras. 137-139.

<sup>35</sup> *Ibid.*, Thirty-eighth Session, Fifth Committee, 7th meeting, para. 11.

<sup>36</sup> *Ibid.*, para. 17.

<sup>37</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 38 (A/38/38), part one, paras. 151-170.

<sup>38</sup> A/C.5.38/11.

3. *Requests* the Secretary-General to review all the possibilities available to strengthen the capacity of the United Nations evaluation units and systems, including a timetable for the adequate establishment of such units in all departments, as called for in General Assembly resolution 36/228 B, and measures for redeployment of resources, prior to the thirty-ninth session of the General Assembly, and to report to the Assembly thereon at that session;

4. *Takes note with satisfaction* of the progress made in improving the quality of the in-depth evaluation studies in specific programme areas and stresses the need to develop a comprehensive evaluation system along the lines of the recommendations contained in paragraphs 189 to 197 of the report of the Committee for Programme and Co-ordination;<sup>39</sup>

5. *Endorses* the conclusions and recommendations of the Committee for Programme and Co-ordination at its twenty-third session on the in-depth evaluation of the work of the Department of Public Information of the Secretariat<sup>40</sup> and on the timetable for intergovernmental review of in-depth and triennial evaluation studies;<sup>41</sup>

#### IV

*Technical co-operation activities of the United Nations Industrial Development Organization financed by the United Nations Development Programme in the field of manufactures*

1. *Endorses* the recommendations of the Committee for Programme and Co-ordination at its twenty-third session<sup>42</sup> and Economic and Social Council resolution 1983/49, section II, on the above topic;

2. *Requests* the Secretary-General to submit his comprehensive report to the Committee for Programme and Co-ordination at its twenty-fourth session, taking into account the views of the Permanent Committee of the Industrial Development Board at its twentieth session and of the Governing Council of the United Nations Development Programme at its next organizational session.

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#### B

#### CO-ORDINATION WITHIN THE UNITED NATIONS SYSTEM

*The General Assembly,*

*Recalling* its resolution 32/197 of 20 December 1977,

*Aware* of the need for continuous improvement in the effectiveness of the co-ordination of the activities of the United Nations system,

#### I

*Conclusions and recommendations of the Committee for Programme and Co-ordination*

1. *Endorses* the conclusions and recommendations of the Committee for Programme and Co-ordination at its twenty-third session on the annual report of the Administrative Committee on Co-ordination for 1982-1983;<sup>43</sup>

2. *Endorses* the conclusions and recommendations of the Committee for Programme and Co-ordination at its twenty-third session<sup>44</sup> and Economic and Social Council resolution 1983/50 and decision 1983/173 of 28 July 1983 on the Joint Meetings of the Committee for Programme and Co-ordination and the Administrative Committee on Co-ordination;

3. *Requests* the Economic and Social Council to include in its review of the functioning of the Joint Meetings of the Committee for Programme and Co-ordination and the Administrative Committee on Co-ordination, at its organizational session for 1984, consideration of the question of and application of paragraph 12 of General Assembly resolution 31/93 of 14 December 1976;

4. *Endorses* the conclusions and recommendations of the Committee for Programme and Co-ordination at its twenty-third session on the cross-organizational programme analysis of marine affairs and on future cross-organizational programme analyses;<sup>45</sup>

5. *Requests* the Committee for Programme and Co-ordination at its twenty-fourth session and the Economic and Social Council at its second regular session of 1984 to review the initial report on the cross-organizational programme analysis of economic and technical co-operation among developing countries;

6. *Endorses* Economic and Social Council resolutions 1983/76, 1983/77 and 1983/78 of 29 July 1983 relating to the cross-organizational reviews of selected major sectors in the medium-term plans of the organizations of the United Nations system;

7. *Endorses* the recommendation of the Committee for Programme and Co-ordination at its twenty-third session on the co-ordination of food and agriculture activities in Asia and the Pacific by the Economic and Social Commission for Asia and the Pacific and the Food and Agriculture Organization of the United Nations;<sup>46</sup>

#### II

*Other conclusions and recommendations of the Committee for Programme and Co-ordination*

*Notes with satisfaction and endorses* the other conclusions and recommendations of the Committee for Programme and Co-ordination at its twenty-third session on the programme and plan of activities of the Joint United Nations Information Committee<sup>47</sup> on the implementation of the recommendations made on the mineral resources programme by the Committee for Programme and Co-ordination at its twenty-second session<sup>48</sup> and on the report of the Administrative Committee on Co-ordination on the strengthening of the co-ordination of information systems in the United Nations system;<sup>49</sup>

#### III

*Implications of the recommendations of the Committee for Programme and Co-ordination*

*Takes note* of the report of the Secretary-General on the programme, financial and administrative implications of

<sup>39</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 38 (A/38/38), part one.*

<sup>40</sup> *Ibid.*, paras. 50-55.

<sup>41</sup> *Ibid.*, paras. 195-197.

<sup>42</sup> *Ibid.*, paras. 34-36.

<sup>43</sup> *Ibid.*, paras. 90 and 91.

<sup>44</sup> *Ibid.*, paras. 92-94; and part two, paras. 424 and 425.

<sup>45</sup> *Ibid.*, part one, para. 19.

<sup>46</sup> *Ibid.*, para. 124.

<sup>47</sup> *Ibid.*, paras. 72 and 73.

<sup>48</sup> *Ibid.*, para. 79.

<sup>49</sup> *Ibid.*, para. 108.

the recommendations of the Committee for Programme and Co-ordination.<sup>50</sup>

*104th plenary meeting  
20 December 1983*

### 38/228. Financial emergency of the United Nations

#### A

##### ISSUE OF SPECIAL POSTAGE STAMPS

*The General Assembly,*

*Having considered* the report of the Secretary-General on the analysis of the financial situation of the United Nations,<sup>51</sup>

*Recalling* its resolution 35/113 of 10 December 1980 and, in particular, paragraphs 1 to 3 thereof, according to which the provisions of regulations 5.2 and 7.1 of the Financial Regulations of the United Nations shall not apply to the sale proceeds of postage stamps on the conservation and protection of nature so that a portion of the revenues so earned, after deduction of the cost of producing the stamps, shall be earmarked for promoting, under United Nations auspices, the noble cause of the conservation and protection of nature and endangered species, and the remainder of the net proceeds shall be placed in a special account,

*Recalling also* its resolution 37/13 of 16 November 1982,

1. *Decides* to allocate one half of the net revenues from the sale of the above-mentioned postage stamps to the United Nations Environment Programme for financing projects which promote the conservation and protection of nature and endangered species;

2. *Decides* to allocate the remaining one half of the net proceeds to the United Nations Special Account;<sup>52</sup>

3. *Requests* the Executive Director of the United Nations Environment Programme to submit a report to the Governing Council of the United Nations Environment Programme, at an appropriate time, on the results of the projects and their impact on the conservation and protection of nature and endangered species;

4. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a financial report on the project to issue special postage stamps.

*104th plenary meeting  
20 December 1983*

#### B

##### FINANCIAL SITUATION OF THE UNITED NATIONS

*The General Assembly,*

*Having considered* the report of the Secretary-General on the analysis of the financial situation of the United Nations<sup>51</sup> and the report of the Advisory Committee on Administrative and Budgetary Questions on administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency,<sup>53</sup>

*Taking note* of the relevant statements of Member States in the Fifth Committee on the item entitled "Financial emergency of the United Nations",<sup>54</sup>

1. *Requests* the Negotiating Committee on the Financial Emergency of the United Nations to keep the financial situation of the Organization under review and to report, as and when appropriate, to the General Assembly;

2. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session detailed information relating to the extent, rate of increase and composition of the deficit of the Organization, as well as voluntary contributions received from Member States and other sources;

3. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations".

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20 December 1983*

### 38/229. Joint Inspection Unit

*The General Assembly*

1. *Takes note* of the annual report of the Joint Inspection Unit<sup>55</sup> and of the report of the Secretary-General on the implementation of the recommendations of the Unit;<sup>56</sup>

2. *Confirms* the importance it attaches to the proper consideration of the reports of the Joint Inspection Unit;

3. *Invites* United Nations organs, when considering reports of the Joint Inspection Unit, to bear in mind the recommendation contained in paragraph 12 of the 1983 annual report of the Unit;<sup>55</sup>

4. *Requests* the Secretary-General to issue his comments on individual reports to the Joint Inspection Unit, as well as his report on the implementation of the recommendations of the Unit, as early as possible before the opening of the session of the General Assembly at which such reports are to be considered.

*104th plenary meeting  
20 December 1983*

### 38/230. Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations

*The General Assembly,*

*Recalling* its resolutions 35/212 of 17 December 1980, 36/232 of 18 December 1981 and 37/236 of 21 December 1982,

*Recalling* that, under Article 105 of the Charter of the United Nations, officials of the Organization shall enjoy in the territory of each of its Member States such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization, which is indispensable for the proper discharge of their duties,

*Recalling* the obligation of the staff in the conduct of their duty to observe fully the laws and regulations of Member States,

<sup>50</sup> E/AC.51/1983/L.6 and Corr.1.

<sup>51</sup> A/C.5/38/9 and Corr.1 and Add.1.

<sup>52</sup> Established pursuant to resolutions 2053 (XX) and 3049 (XXVII).

<sup>53</sup> A/38/515.

<sup>54</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Fifth Committee, 4th-6th and 8th meetings*; and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum.

<sup>55</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 34 (A/38/34)*.

<sup>56</sup> A/C.5/38.8.

1. *Takes note with concern* of the reports submitted to the General Assembly by the Secretary-General on behalf of the Administrative Committee on Co-ordination,<sup>57</sup> which show a continuing neglect of the observance of the principles related to respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations;

2. *Expresses particular concern* at the detention of a great number of officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and about the cases in which full exercise of the right of functional protection was impossible, as mentioned in the reports of the Secretary-General;<sup>57</sup>

3. *Reaffirms* the above-mentioned resolutions;

4. *Welcomes* the measures already taken by the Secretary-General to enhance the safety and protection of international civil servants, as outlined in paragraph 7 of his report;<sup>58</sup>

5. *Calls upon* the Secretary-General, as chief administrative officer of the Organization, to continue personally to act as the focal point in promoting and ensuring the observance of the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations by using such means as are available to him;

6. *Welcomes* the designation by the Secretary-General of officials to take on special responsibilities for the security and protection of the Organization's personnel and property;

7. *Urges* the Secretary-General to give priority through his designated officials, as mentioned in annex III to his report,<sup>58</sup> to the reporting and prompt follow-up of cases of arrest, detention and possible other matters relating to the security of officials of the United Nations and the specialized agencies and related organizations;

8. *Calls upon* the staff of the United Nations to comply with the obligations arising from the Staff Regulations of the United Nations, in particular regulation 1.8;

9. *Requests* the Secretary-General, as Chairman of the Administrative Committee on Co-ordination, to suggest in his annual report to be submitted to the General Assembly at its thirty-ninth session further measures to be taken with regard to the safety and protection of international civil servants.

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20 December 1983*

### 38/231. Composition of the Secretariat

*The General Assembly,*

*Reaffirming* its previous resolutions on personnel policy and in particular resolutions 33/143 of 20 December 1978, 35/210 of 17 December 1980 and 37/235 of 21 December 1982,

*Noting* that some limited progress has been made with respect to the situation of unrepresented and underrepresented Member States and towards a balanced and equitable geographical distribution of staff in the Secretariat,

*Concerned* by the lack of progress, especially in the past year, towards increasing the proportion of women in the Secretariat and, in particular, the failure to reach the target set in section III of resolution 33/143,

*Recognizing* the central role of the Office of Personnel Services in the implementation of personnel policies,

1. *Takes note* of the report of the Secretary-General on the composition of the Secretariat;<sup>59</sup>

2. *Calls upon* the Secretary-General to continue to make every effort to ensure the implementation of the provisions of the previous resolutions of the General Assembly, in particular of resolutions 33/143, 35/210 and 37/235;

3. *Requests* the Secretary-General to make special efforts to meet the goals and objectives established with respect to:

(a) The situation of unrepresented and underrepresented Member States;

(b) The recruitment, career development and promotion of women;

(c) The achievement of a balanced and equitable geographical distribution of staff throughout the Secretariat;

4. *Requests* the Secretary-General to strengthen the role of the Office of Personnel Services of the Department of Administration and Management in all personnel matters throughout the Secretariat;

5. *Reaffirms its request* to the Secretary-General in paragraph 8 of resolution 37/235 A to report to the General Assembly at its thirty-ninth session on progress made in the implementation of all aspects of personnel policy reform.

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20 December 1983*

### 38/232. United Nations common system: report of the International Civil Service Commission

*The General Assembly,*

*Having considered with appreciation* the report of the International Civil Service Commission for the year 1983,<sup>60</sup>

*Reaffirming* the central role of the Commission within the United Nations common system in the development of a single unified international civil service through the application of common personnel standards and arrangements,

*Reaffirming* the importance of respect for these common standards and arrangements by all organizations members of the common system,

#### I

1. *Urges* all organizations concerned to implement the decisions of the International Civil Service Commission and to act positively on the recommendations of the Commission in accordance with its statute;

2. *Urges* the executive heads of organizations concerned, after consultation with the Commission, to report to their respective governing bodies such decisions or proposals as would modify the recommendations of the Commission;

3. *Calls upon* all organizations of the United Nations common system to bring to the attention of the Commission all matters relating to salaries, allowances, benefits and other conditions of employment so as to ensure their uniform application throughout the common system;

4. *Reaffirms* the principles embodied in the statute of the Commission as approved in General Assembly resolution 3357 (XXIX) of 18 December 1974, in particular arti-

<sup>57</sup> A/C.5/38/17 and Corr.1 and Add.1, A/C.5/38/18.

<sup>58</sup> A/C.5/38/17 and Corr.1.

<sup>59</sup> A/38/347 and Corr.1.

<sup>60</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 30 (A/38/30), and A/38/30/Add.1.*



cle 6 thereof, and requests Governments, secretariats and staff associations to co-operate in this regard;

5. *Approves* the development of the special index for pensioners as recommended by the Commission in paragraph 15 (a) of its report;<sup>61</sup>

6. *Takes note* of the current status of the margin between the remuneration of the United States federal civil service and that of the United Nations system;

7. *Requests* the Commission to complete, in close consultation with the United States authorities concerned, the study of the equivalency between the higher grade levels of the United Nations system and the Senior Executive Service of the United States federal civil service and to report thereon to the General Assembly at its thirty-ninth session;

8. *Notes* the progress made to date concerning the comparison of total compensation based on non-expatriate benefits applicable on both sides and requests the Commission to inform the General Assembly, on an annual basis, of the margin between the remuneration of United Nations employees and those of the United States federal civil service on this total compensation basis;

## II

1. *Expresses concern* that the International Civil Service Commission was unable to make corrections in the current post adjustment classification at certain duty stations in spite of the fact that the post adjustments were found to be higher than those which the results of the new cost-of-living survey could justify;

2. *Notes* the efforts by the Commission to improve the post adjustment system and requests the Commission in this regard to expedite, in particular, the application of the revised methodology for cost-of-living measurement, called for in General Assembly resolution 34/165 of 17 December 1979, in order to improve the mechanism for adjusting United Nations remuneration to reflect more accurately the differences in cost of living at various duty stations;

3. *Calls upon* the executive heads and the staff of organizations of the United Nations common system to co-operate fully with the Commission in the application of the post adjustment system;

4. *Notes* the introduction by the Commission, with effect from 1 April 1983, of a rental subsidy scheme for staff in the Professional and higher categories at Headquarters and other duty stations not previously covered by a subsidy scheme;

5. *Requests* the Commission to monitor this rental subsidy scheme with a view to ensuring both its equity and its effectiveness;

## III

1. *Recalls* its resolution 2480 B (XXIII) of 21 December 1968 concerning language incentives in the United Nations;

2. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the status of the linguistic skills of United Nations staff, including the effects of the language incentive programme, and to propose, if necessary, further measures to improve the present situation;

3. *Decides* that:

(a) The education grant for eligible staff members shall be set at a level of 75 per cent of the cost of attendance at

an educational institution in respect of expenses up to a maximum of \$6,000 per year, with a maximum reimbursement of \$4,500 per child per year;

(b) The reimbursement rate for disabled children shall be set at 100 per cent of a maximum of \$6,000 for expenses at an educational institution;

(c) The limit of allowable boarding costs within the overall maximum allowable expenditure of \$6,000 shall be raised to \$1,500 per year;

(d) Provision shall be made to use a currency floor for this grant, using exchange rates effective 1 March 1983, to ensure the maintenance of equitable reimbursement of education costs among duty stations;

4. *Requests* the International Civil Service Commission to conduct a study of the education grant, the purpose of which was to facilitate a child's re-assimilation in the staff member's home country, and to report on the results of the study to the General Assembly at its thirty-ninth session;

## IV

1. *Takes note* of the decision of the International Civil Service Commission<sup>62</sup> to modify, with effect from 1 September 1983, the non-resident's allowance provisions to make the allowance payable for a fixed duration of five years at designated duty stations and to make it non-pensionable, subject to the protection of acquired rights as set out in paragraph 63 of the report of the Commission;

2. *Requests* the United Nations Joint Staff Pension Board to review article 54 (a) of the Regulations of the United Nations Joint Staff Pension Fund in the light of the Commission's decision and to make appropriate recommendations to the General Assembly at its thirty-ninth session;

3. *Decides* that, in the meantime, the modified non-resident's allowance shall not be pensionable;

## V

1. *Requests* the International Civil Service Commission to undertake a comprehensive review of after-service health-care coverage with particular attention to locally recruited field staff;

2. *Approves* the Commission's recommendation<sup>63</sup> that the present non-contributory system of death-grant benefits be continued inasmuch as it provides benefits in the most cost-effective manner;

## VI

1. *Recalls* section IV of its resolution 37/126 of 17 December 1982 and reaffirms its support for the overall approach envisaged by the International Civil Service Commission, which aims at the development of policies for an integrated personnel management system, based on human resources planning, to assist organizations in achieving their programme objectives in an efficient manner, while providing improved conditions for career development;

2. *Welcomes* the decision taken by the Commission to establish job classification standards, under article 13 of its statute, for locally recruited staff in field offices where several of the organizations employ staff in common areas of work;

3. *Expresses its satisfaction* that job classification standards have been developed for the General Service and related categories in New York and requests the

<sup>61</sup> *Ibid.*, Supplement No. 30 (A/38/30).

<sup>62</sup> *Ibid.*, paras. 59, 60 and 62.

<sup>63</sup> *Ibid.*, para. 110.

organizations concerned to co-ordinate their implementation of these standards in order to utilize fully the opportunities they provide for improved job design, recruitment, career planning and training;

4. *Welcomes* the Commission's efforts to develop a common approach to skills inventories on an inter-organizational basis;

5. *Recommends* that the organizations normally dispense with the requirement for a probationary appointment as a prerequisite for a career appointment following a period of five years' satisfactory service on fixed-term contracts;

6. *Again requests* the Commission to pursue its mandate under article 14 of its statute, in consultation with organizations and staff, with regard to the development of common training, recruitment and promotion policies for the organizations and to report thereon to the General Assembly as each phase of its studies is completed;

## VII

*Notes* the progress made to date by the International Civil Service Commission in its review of conditions of service in the field and requests the Commission to keep the General Assembly informed of further developments in its review;

## VIII

*Requests* the International Civil Service Commission to report to the General Assembly at its thirty-ninth session on the question of longevity and merit steps in the various grade levels.

*104th plenary meeting  
20 December 1983*

### 38/233. Report of the United Nations Joint Staff Pension Board<sup>64</sup>

*The General Assembly,*

*Having considered* the report of the United Nations Joint Staff Pension Board for 1983 to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund,<sup>65</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>66</sup>

*Welcoming* the improvement in the actuarial situation of the Fund as a result of the economy measures applied with effect from 1 January 1983,

*Concerned* at the continuing actuarial imbalance of the Fund and the mounting cost of the pension system,

*Desirous* of bringing about a further improvement in the actuarial situation of the Fund,

*Concerned* at the different evolution over the years of the levels of pensionable remuneration for staff in the Professional and higher categories and those of the comparator civil service,

*Recalling* its resolutions 3526 (XXX) of 16 December 1975, 31/196 of 22 December 1976, 33/120 of 19 December 1978, 34/221 of 20 December 1979, 35/215 of 17 December 1980, 36/118 of 10 December 1981 and 37/131 of 17 December 1982,

<sup>64</sup> See also sect. X.B.6, decision 38/452.

<sup>65</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 9 (A/38/9 and Corr.2); and A/38/9/Add.1 and Corr.1 and 2.*

*Bearing in mind* earlier General Assembly resolutions which stated, *inter alia*, that changes in the pension adjustment system should not lead to increases in the liabilities of Member States.

*Conscious* that a number of factors have combined to make necessary the consideration and adoption of significant remedial actions on the problem of the actuarial imbalance, including the raising of the rate of contributions hereinafter referred to,

*Mindful* of the social aspects of the pension system,

*Aware* that a co-operative effort by member organizations, participants and beneficiaries is required if the actuarial imbalance is to be reduced or eliminated, thereby securing an adequate level of benefits under the Fund,

## I

### AMENDMENTS TO THE REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

1. *Decides* that, with effect from 1 January 1984, the rate of contributions shall be raised from 21 to 21.75 per cent of pensionable remuneration, of which the employing member organization shall pay 14.5 per cent and the participant 7.25 per cent;

2. *Amends* the Regulations of the United Nations Joint Staff Pension Fund, without retroactive effect, as set forth in the annex to the present resolution;

## II

### MEASURES TO IMPROVE THE ACTUARIAL BALANCE OF THE FUND

*Requests* the United Nations Joint Staff Pension Board, with the assistance of the Committee of Actuaries, to consider, early in 1984, the various proposals discussed at the thirty-eighth session of the General Assembly with a view to reducing or eliminating the actuarial imbalance of the United Nations Joint Staff Pension Fund, including the following measures:

(a) Increasing to a realistic level the interest rate used to calculate the amount of the lump-sum commutation;

(b) Determination of the lump sum in net equivalent terms, subject to the reimbursement of any taxes payable thereon;

(c) Re-examination of the early retirement provisions, taking into account, *inter alia*, the observations made by the Committee of Actuaries;

(d) Imposition of a ceiling on the highest levels of pensions;

(e) Review of the two-track system followed to determine the initial amount of the pension and its subsequent adjustment;

(f) Re-examination of the survivor benefits under the Regulations of the Fund, together with alternative ways of financing them;

and to submit its findings and recommendations thereon and on such other measures as may be deemed appropriate, through the Advisory Committee on Administrative and Budgetary Questions, to the General Assembly at its thirty-ninth session;

<sup>66</sup> A/38/547.

## III

## PENSIONABLE REMUNERATION FOR THE PROFESSIONAL AND HIGHER CATEGORIES

1. *Decides* to review at its thirty-ninth session the pensionable remuneration for the Professional and higher categories;

2. *Requests* the International Civil Service Commission, in co-operation with the United Nations Joint Staff Pension Board, to submit to the General Assembly at its thirty-ninth session recommendations on the appropriate level of pensionable remuneration for the Professional and higher categories;

3. *Further requests* the International Civil Service Commission, in examining the comparative levels of pensionable remuneration in co-operation with the Board, to compare the levels of pension entitlements in the light of all the factors it brought to the attention of the General Assembly in its fifth annual report,<sup>67</sup> as part of the total compensation comparisons to be carried out within the framework of the Noblemaire principle, and to report thereon to the Assembly by the beginning of its thirty-ninth session on the basis of the latest data available in 1984;

4. *Decides* that the implementation of any adjustment which may become due in 1984 on the basis of article 54 (b) of the Regulations of the United Nations Joint Staff Pension Fund shall be deferred until the General Assembly, at its thirty-ninth session, has considered the recommendations of the International Civil Service Commission and the Board on the level of pensionable remuneration;

5. *Decides further* that, if the General Assembly is unable to take a decision on the level of pensionable remuneration at its thirty-ninth session, it will re-examine at that session the question of the deferment of implementation of adjustments which become due under article 54 (b) of the Regulations of the Fund;

6. *Requests* the Board, in the light of the recommendations on the level of pensionable remuneration, to recommend to the General Assembly, at its thirty-ninth session, consequential amendments to article 54 (b) of the Regulations of the Fund;

## IV

## COMPLEMENTARY PENSION SCHEME OF THE INTERNATIONAL LABOUR ORGANISATION

*Draws the attention* of the International Labour Organisation to the strong concern expressed during the thirty-eighth session of the General Assembly about the need to maintain the unity, cohesion and integrity of the United Nations Joint Staff Pension system and to avoid any action which may have an adverse effect on the said system;

## V

## EMERGENCY FUND

*Authorizes* the United Nations Joint Staff Pension Board to supplement the voluntary contributions to the Emergency Fund, for a further period of one year, by an amount not exceeding \$100,000;

## VI

## ADMINISTRATIVE EXPENSES

*Approves* expenses, chargeable directly to the United Nations Joint Staff Pension Fund, totalling \$6,723,100 (net) for 1984 and additional expenses of \$17,700 (net) for 1983 for the administration of the Fund.

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## ANNEX

## Amendments to the Regulations of the United Nations Joint Staff Pension Fund

## Article 1

## DEFINITIONS

(n) "Own contributions" shall mean the contributions, not exceeding the percentage of his pensionable remuneration specified in column B in article 25 (a), made to the Fund by or on behalf of a participant in respect of contributory service under article 22, with interest, provided that, in respect of service in a member organization prior to its admission to membership in the Fund, which has been recognized as contributory, it shall mean:

Subparagraphs (i) and (ii) remain unchanged.

## Article 21

## PARTICIPATION

(b) Participation shall cease when the organization by which the participant is employed ceases to be a member organization, or when he dies or separates from such member organization, except that participation shall not be deemed to have ceased where a participant resumes his contributory service with a member organization within twelve months after separation, without a benefit having been paid to him.

## Article 22

## CONTRIBUTORY SERVICE

(a) Contributory service shall accrue to a participant in pay status from the date of commencement to the date of cessation of his participation. For purposes of each of the articles 28 (b), 28 (c) and 29 (b) separate periods of contributory service shall be aggregated except that in such aggregation no account shall be taken of periods of service in respect of which a withdrawal settlement was paid and which were not subsequently restored.

## Article 25

## CONTRIBUTIONS

(a) Contributions by the participant and by the employing member organization shall be payable to the Fund concurrently with the accrual of contributory service under article 22 (a), at the percentage rates of pensionable remuneration specified below:

	A	B	C
	For periods of contributory service	By participants (per cent)	By employing member organization (per cent)
Before 1984 . . . . .		7.00	14.00
As from 1984 . . . . .		7.25	14.50

(b) (i) Contributions for the purpose of article 22 (b) in respect of a period of leave without pay shall be at a percentage rate of the pensionable remuneration of the participant equal to the applicable rates specified in (a) above payable by the participant and by the employing member organization, combined. Such contributions shall be payable concurrently with such leave by the participant in full or by the organization in full, or in part by the participant and in part by the organization;

Subparagraph (ii) remains unchanged.

(c) Contributions for the purpose of validation under article 23 shall be payable, with interest, by the participant and the organization in the amounts which would have been payable respectively by each, had service during the period been contributory.

<sup>67</sup> Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 30 (A/34/30 and Corr.1), chap. III.

## Article 28

## RETIREMENT BENEFIT

(b) The benefit shall, subject to (d) and (e) below, in respect of a period or periods of participation commencing on or after 1 January 1983, be payable at the standard rate obtained by multiplying:

Subparagraphs (i), (ii) and (iii) remain unchanged. However, in respect of a participant with a prior period of contributory service of five years or longer ending between 1 January 1978 and 31 December 1982, the standard annual rate specified above shall be calculated by taking into account as periods of contributory service for the purpose of subparagraphs (i), (ii) and (iii) above the period of contributory service before 1 January 1983.

(c) The benefit shall, subject to (d) and (e) below, in respect of any period of participation commencing prior to 1 January 1983, be payable at the standard annual rate obtained by multiplying:

- (i) The first thirty years of the participant's contributory service, by 2 per cent of his final average remuneration, and
- (ii) The years of his contributory service in excess of thirty, but not exceeding five, by 1 per cent of his final average remuneration.

## Article 32

## DEFERMENT OF PAYMENT OR CHOICE OF BENEFIT

(a) The payment to a participant of a withdrawal settlement, or the exercise by a participant of a choice available to him between one benefit and another, or between a form of benefit involving payment in a lump sum and another form, may be deferred at his request at the time of separation for a period of twelve months.

## Article 40

## EFFECT OF RE-ENTRY INTO PARTICIPATION

(b) Such a participant, who again becomes a participant and is again separated after at least five years of additional contributory service, shall also be entitled, at the time of such subsequent separation, in respect of such service and subject to (d) below, to a retirement, early retirement or deferred retirement benefit, or a withdrawal settlement under article 28, 29, 30 or 31, as the case may be.

(c) Such a participant, who again becomes a participant and is again separated after less than five years of additional contributory service, shall, in respect of such service, become entitled to:

- (i) A withdrawal settlement under article 31; or
- (ii) If he is at least age fifty-five at such separation, and subject to (d) below, a retirement, early retirement or deferred retirement benefit, as the case may be, under article 28, 29 or 30, based on the length of such additional contributory service; such benefit may not be commuted into a lump sum, in whole or in part, and shall not be subject to any minimum provisions.

(d) Payment of benefits under (b) or (c) (ii) above shall commence on the date of the resumption or commencement, as the case may be, of payment of benefits suspended under (a) above. In no event shall the total benefits payable to or on account of a former participant in respect of separate periods of contributory service exceed the benefits which would have been payable had his participation in the Fund been continuous.

### 38/234. Questions relating to the proposed programme budget for the biennium 1984-1985

*The General Assembly*

## I

#### UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

*Invites the Advisory Committee on Administrative and Budgetary Questions to examine the financial aspects of*

<sup>68</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 38 (A/38/38), part one.

<sup>69</sup> A/C.5/38/39.

<sup>70</sup> A/C.5/38/42.

<sup>71</sup> A/C.5/38/14.

<sup>72</sup> A/C.5/38/22.

<sup>73</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23), document A/38/7/Add.6.

the recommendations of the Committee for Programme and Co-ordination contained in paragraphs 286 (c) and (d) of its report,<sup>68</sup> as well as the merger of programme elements 4.9 and 4.15, as recommended by that Committee in paragraph 286 (a) of its report, and to report thereon to the General Assembly;

## II

## INTERNATIONAL COMPUTING CENTRE

*Approves the budget estimates for the International Computing Centre for the year 1984;*<sup>69</sup>

## III

## ADVISORY COMMITTEE FOR THE CO-ORDINATION OF INFORMATION SYSTEMS

*Approves the programme of work and budget estimates for the Advisory Committee for the Co-ordination of Information Systems for the biennium 1984-1985;*<sup>70</sup>

## IV

## FIRST-CLASS TRAVEL AND ORGANIZATION AND METHODS FOR OFFICIAL TRAVEL

*Takes note of the reports of the Secretary-General on first-class travel<sup>71</sup> and on the organization and methods for official travel<sup>72</sup> and of the related report of the Advisory Committee on Administrative and Budgetary Questions;*<sup>73</sup>

## V

REVISED ESTIMATES UNDER SECTION 27 (PUBLIC INFORMATION): *Yearbook of the United Nations*

1. *Takes note of the report of the Secretary-General on the Yearbook of the United Nations<sup>74</sup> and of the related report of the Advisory Committee on Administrative and Budgetary Questions;*<sup>75</sup>

2. *Endorses the conclusions of the Advisory Committee as contained in its report;*

## VI

*Yearbook of the United Nations*

*Bearing in mind the desirability of making the Yearbook of the United Nations more widely used by the general public,*

*Recalling the problems which have been encountered in the timely issuance of the Yearbook of the United Nations,*

*Taking note of the paragraphs of the Secretary-General's report which relate to the measures to eliminate the backlog in publication of the Yearbook of the United Nations<sup>76</sup> and of the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>77</sup>*

1. *Requests the Secretary-General to undertake a comprehensive review of the current format of the Yearbook of the United Nations, with a view to developing a new format in order to make it more usable and accessible;*

<sup>74</sup> A/C.5/38/38.

<sup>75</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23), document A/38/7/Add.8.

<sup>76</sup> A/C.5/38/38, paras. 10-15.

<sup>77</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23), document A/38/7/Add.8, paras. 5-9.

2. *Requests* the Secretary-General to report on the implementation of this section of the present resolution to the General Assembly at its fortieth session;

## VII

## EXPANSION OF THE CONFERENCE FACILITIES OF THE ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC AT BANGKOK

1. *Takes note* of the report of the Secretary-General on the expansion of the conference facilities of the Economic and Social Commission for Asia and the Pacific at Bangkok<sup>78</sup> and of the related report of the Advisory Committee on Administrative and Budgetary Questions;<sup>79</sup>

2. *Concurs* with the observations of the Advisory Committee as contained in its report;

3. *Accepts with appreciation* the offer by the Government of Thailand of additional land for the proposed construction of expanded conference facilities for the Commission;

## VIII

## UNITED NATIONS LANGUAGE-TRAINING PROGRAMME

*Takes note* of the report of the Secretary-General on the United Nations language-training programme;<sup>80</sup>

## IX

## REPORT OF THE JOINT INSPECTION UNIT ON THE DEPARTMENT OF INTERNATIONAL ECONOMIC AND SOCIAL AFFAIRS

1. *Takes note* of the relevant paragraphs of the report of the Joint Inspection Unit<sup>81</sup> and the comments thereon of the Secretary-General<sup>82</sup> and of the related report of the Advisory Committee on Administrative and Budgetary Questions;<sup>83</sup>

2. *Reaffirms* the provisions of its resolutions 31/194 of 22 December 1976 and 33/181 of 21 December 1978 as regards the location of the Centre for Social Development and Humanitarian Affairs at Vienna;

## X

## REGIONAL COMMISSIONS LIAISON OFFICE

1. *Takes note* of the report of the Secretary-General on the revised estimates under section 11 (Economic and Social Commission for Asia and the Pacific) and on a new section 5C (Regional Commissions Liaison Office);<sup>84</sup>

2. *Decides* to establish a new section 5C of the programme budget entitled "Regional Commissions Liaison Office";

## XI

## REPORT OF THE JOINT INSPECTION UNIT ON THE DEPARTMENT OF TECHNICAL CO-OPERATION FOR DEVELOPMENT

*Takes note* of the report of the Joint Inspection Unit on the Department of Technical Co-operation for Development<sup>85</sup> and the comments thereon by the Secretary-

General<sup>86</sup> and of the related report of the Advisory Committee on Administrative and Budgetary Questions;<sup>87</sup>

## XII

## QUESTION OF BACKLOGS IN DOCUMENTATION

*Invites* the Committee on Conferences, at its next substantive session, to examine the question of backlogs in documentation;

## XIII

## STAFF TRAINING ACTIVITIES (HEADQUARTERS, GENEVA AND THE REGIONAL COMMISSIONS): CONTRACTUAL STATUS OF LANGUAGE TEACHERS

*Approves* the proposals of the Secretary-General on the contractual status of language teachers contained in his report;<sup>88</sup>

## XIV

## EVALUATION OF THE PERFORMANCE AND UTILITY OF THE INFORMATION SYSTEMS UNIT OF THE DEPARTMENT OF INTERNATIONAL ECONOMIC AND SOCIAL AFFAIRS

1. *Takes note* of the report of the Advisory Committee for the Co-ordination of Information Systems;<sup>89</sup>

2. *Decides* that the financial arrangements which were applicable to the Information Systems Unit in 1982-1983 should be continued in the biennium 1984-1985;

## XV

## REVISED ESTIMATES UNDER SECTION 5B (CENTRE FOR SCIENCE AND TECHNOLOGY FOR DEVELOPMENT) ARISING FROM THE RECOMMENDATIONS OF THE INTER-GOVERNMENTAL COMMITTEE ON SCIENCE AND TECHNOLOGY FOR DEVELOPMENT IN ITS RESOLUTION 4 (V)

1. *Takes note* of the report of the Secretary-General;<sup>90</sup>

2. *Concurs* with the procedures outlined in the report;<sup>91</sup>

## XVI

## TRAVEL OF UNITED NATIONS OFFICIALS TO ATTEND SESSIONS OF THE GENERAL ASSEMBLY

1. *Takes note* of the information provided by the Secretary-General on the travel of staff members to attend the current session of the General Assembly;

2. *Requests* the Secretary-General to ensure that maximum restraint is exercised concerning such travel;

3. *Requests* the Secretary-General to inform the General Assembly at its thirty-ninth session on action taken in this regard;

## XVII

## CONDITIONS OF SERVICE AND COMPENSATION FOR OFFICIALS OTHER THAN SECRETARIAT OFFICIALS

*Decides* to defer until its thirty-ninth session consideration of the recommendations of the Secretary-General<sup>92</sup> with regard to which no action has been taken during the current session;

<sup>78</sup> A/C.5/38/34.

<sup>79</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23)*, document A/38/7/Add.5.

<sup>80</sup> A/C.5/38/5.

<sup>81</sup> See A/38/334.

<sup>82</sup> A/38/334/Add.1, annex.

<sup>83</sup> A/38/600, paras. 1, 2 and 11-21.

<sup>84</sup> A/C.5/38/52 and Corr.1.

<sup>85</sup> See A/38/172.

<sup>86</sup> A/38/172/Add.1, annex.

<sup>87</sup> A/38/600, paras. 1-10.

<sup>88</sup> A/C.5/38/41.

<sup>89</sup> See A/C.5/38/1.

<sup>90</sup> A/C.5/38/64 and Add.1.

<sup>91</sup> A/C.5/38/64, para. 2.

<sup>92</sup> See A/C.5/38/27.

## XVIII

## CONVERSION OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION INTO A SPECIALIZED AGENCY

Takes note of the report of the Secretary-General;<sup>93</sup>

## XIX

## JOB CLASSIFICATION OF THE GENERAL SERVICE CATEGORY AT GENEVA

Accepts the proposals of the Secretary-General as reflected in his report on the job classification of the General Service category at Geneva;<sup>94</sup>

## XX

## UNITED NATIONS INSTITUTE FOR TRAINING AND RESEARCH

Endorses the recommendations of the Advisory Committee on Administrative and Budgetary Questions as contained in paragraph 7 of its report;<sup>95</sup>

## XXI

## COMMON SERVICES AT THE UNITED NATIONS ACCOMMODATION AT NAIROBI

1. Takes note of the report of the Secretary-General<sup>96</sup> and of the related report of the Advisory Committee on Administrative and Budgetary Questions;<sup>97</sup>

2. Endorses the recommendations of the Advisory Committee as contained in its report;

## XXII

## UNITED NATIONS ACCOMMODATION AT NAIROBI

Takes note of the report of the Secretary-General on United Nations accommodation at Nairobi<sup>98</sup> and of the related report of the Advisory Committee on Administrative and Budgetary Questions;<sup>99</sup>

## XXIII

## ADEQUACY OF THE CONFERENCE FACILITIES OF THE ECONOMIC COMMISSION FOR AFRICA AT ADDIS ABABA

1. Approves the programme of major maintenance of and alterations and improvements to the conference facilities of the Economic Commission for Africa at Addis Ababa as reflected in section VII of the report of the Secretary-General;<sup>100</sup>

2. Defers until its thirty-ninth session the consideration of the other proposals contained in that report;

<sup>93</sup> A/C.5/38/87.

<sup>94</sup> A/C.5/38/92 and Corr.1.

<sup>95</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23), document A/38/7/Add.20.

<sup>96</sup> A/C.5/38/35.

<sup>97</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23), document A/38/7/Add.22, sect. B.

<sup>98</sup> A/C.5/38/36.

3. Requests the Secretary-General to submit to the General Assembly at its thirty-ninth session an updated report on this subject.

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### 38/235. Health insurance contributions by the organizations of the United Nations common system

The General Assembly:

Having considered the report of the International Civil Service Commission on health insurance contributions by the organizations of the United Nations common system<sup>101</sup> as well as the note by the Secretary-General<sup>102</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>103</sup>

1. Takes note of the report of the International Civil Service Commission and the note by the Secretary-General;

2. Approves the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraphs 23 to 25 of its report;

3. Decides that, in applying the formula recommended by the International Civil Service Commission and the Advisory Committee on Administrative and Budgetary Questions, a maximum ratio of 2 to 1 between the share of the organization and the contributor, respectively, will be used, on an experimental basis, until the study requested in paragraph 5 below is submitted to the General Assembly;

4. Requests the International Civil Service Commission, as a matter of priority, to study the possibility of providing a range of health insurance plans, including practices in the comparator service, both basic and comprehensive, with deductible clauses, as well as health maintenance organization plans, which could be made available, at lower costs, to contributors, and to report thereon to the General Assembly at its thirty-ninth session;

5. Further requests the International Civil Service Commission to study the following related matters and to report thereon to the General Assembly, preferably at its thirty-ninth session and not later than at its fortieth session:

(a) Fixing a maximum rate for the share to be borne by the organization and by the contributor;

(b) Making participation in a health insurance plan or plans of the organization mandatory, especially to those who are not covered by other plans.

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<sup>99</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23), document A/38/7/Add.22, sect. A.

<sup>100</sup> A/C.5/38/82.

<sup>101</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 30 (A/38/30), paras. 99-107.

<sup>102</sup> A/C.5/38/16.

<sup>103</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23), document A/38/7/Add.9.

## 38/236. Programme budget for the biennium 1984-1985

## A

## BUDGET APPROPRIATIONS FOR THE BIENNIUM 1984-1985

*The General Assembly*

*Resolves that for the biennium 1984-1985:*

1. Appropriations totalling \$US 1,587,159,800 are hereby voted for the following purposes:

<i>Section</i>	<i>US dollars</i>
<i>PART I. Overall policy-making, direction and co-ordination</i>	
1. Overall policy-making, direction and co-ordination .....	39 960 500
TOTAL, PART I	<u>39 960 500</u>
<i>PART II. Political and Security Council affairs, peace-keeping activities</i>	
2A. Political and Security Council affairs, peace-keeping activities	81 866 700
2B. Department for Disarmament Affairs .....	<u>8 893 000</u>
TOTAL, PART II	<u>90 759 700</u>
<i>PART III. Political affairs, trusteeship and decolonization</i>	
3. Political affairs, trusteeship and decolonization .....	<u>23 052 300</u>
TOTAL, PART III	<u>23 052 300</u>
<i>PART IV. Economic, social and humanitarian activities</i>	
4. Policy-making organs (economic and social activities) .....	3 823 700
5A. Office of the Director-General for Development and International Economic Co-operation .....	3 655 600
5B. Centre for Science and Technology for Development .....	3 872 500
5C. Regional Commissions Liaison Office .....	597 400
6. Department of International Economic and Social Affairs ..	48 900 000
7. Department of Technical Co-operation for Development ..	17 493 700
8. Office of Secretariat Services for Economic and Social Matters .....	3 774 800
9. Transnational Corporations .....	9 608 200
10. Economic Commission for Europe .....	25 109 300
11. Economic and Social Commission for Asia and the Pacific	34 818 600
12. Economic Commission for Latin America .....	46 929 700
13. Economic Commission for Africa .....	46 312 300
14. Economic Commission for Western Asia .....	26 408 600
15. United Nations Conference on Trade and Development ...	56 459 000
16. International Trade Centre .....	8 627 100
17. United Nations Industrial Development Organization .....	72 149 500
18. United Nations Environment Programme .....	10 761 100
19. United Nations Centre for Human Settlements (Habitat) ..	9 429 000
20. International drug control .....	5 808 900
21. Office of the United Nations High Commissioner for Refugees .....	30 025 000
22. Office of the United Nations Disaster Relief Co-ordinator .	5 236 400
23. Human rights .....	10 247 700
24. Regular programme of technical co-operation .....	<u>32 910 900</u>
TOTAL, PART IV	<u>512 959 000</u>
<i>PART V. International justice and law</i>	
25. International Court of Justice .....	9 048 600
26. Legal activities .....	<u>14 750 600</u>
TOTAL, PART V	<u>23 799 200</u>

<i>Section</i>	<i>(US dollars)</i>
<i>PART VI. Public information</i>	
27. Public information .....	71 649 400
TOTAL, PART VI	<u>71 649 400</u>
<i>PART VII. Common support services</i>	
28. Administration and management .....	304 707 200
29. Conference and library services .....	266 012 300
TOTAL, PART VII	<u>570 719 500</u>
<i>PART VIII. Special expenses</i>	
30. United Nations bond issue .....	16 769 100
TOTAL, PART VIII	<u>16 769 100</u>
<i>PART IX. Staff assessment</i>	
31. Staff assessment .....	224 869 600
TOTAL, PART IX	<u>224 869 600</u>
<i>PART X. Capital expenditures</i>	
32. Construction, alteration, improvement and major maintenance of premises .....	12 621 500
TOTAL, PART X	<u>12 621 500</u>
GRAND TOTAL	<u><u>1 587 159 800</u></u>

2. The Secretary-General shall be authorized to transfer credits between sections of the budget with the concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The total net provision made under the various sections of the budget for contractual printing shall be administered as a unit under the direction of the United Nations Publications Board;

4. The appropriations for the regular programme of technical co-operation under part IV, section 24, shall be administered in accordance with the Financial Regulations of the United Nations, except that the definition of obligations and the period of validity of obligations shall be subject to the following procedures:

(a) Obligations for personal services established in the current biennium shall be valid for the succeeding biennium, provided that appointments of the experts concerned are effected by the end of the current biennium and that the total period to be covered by obligations established for these purposes against the resources of the current biennium shall not exceed twenty-four work-months;

(b) Obligations established in the current biennium for fellowships shall remain valid until liquidated, provided that the fellow has been nominated by the requesting Government and accepted by the Organization and that a formal letter of award has been issued to the requesting Government;

(c) Obligations in respect of contracts or purchase orders for supplies or equipment recorded in the current biennium shall remain valid until payment is effected to the contractor or vendor, unless they are cancelled;

5. In addition to the appropriations voted under paragraph 1 above, an amount of \$19,000 is appropriated for each year of the biennium 1984-1985 from accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

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20 December 1983*



## B

## INCOME ESTIMATES FOR THE BIENNIUM 1984-1985

*The General Assembly*

*Resolves that for the biennium 1984-1985:*

1. Estimates of income other than assessments on Member States totalling \$US 283,892,800 are approved as follows:

<i>Income section</i>	<i>(US dollars)</i>
<b>PART I. <i>Income from staff assessment</i></b>	
1. Income from staff assessment .....	226 751 400
TOTAL, PART I	226 751 400
<b>PART II. <i>Other income</i></b>	
2. General income .....	36 639 300
3. Revenue-producing activities .....	20 502 100
TOTAL, PART II	57 141 400
GRAND TOTAL	283 892 800

2. The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

3. Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services, garage operations, television services and the sale of publications, not provided for under the budget appropriations, shall be charged against the income derived from those activities.

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## C

## FINANCING OF APPROPRIATIONS FOR THE YEAR 1984

*The General Assembly*

*Resolves that for the year 1984:*

1. Budget appropriations totalling \$US 791,257,700, consisting of \$US 793,579,900, being one half of the appropriations approved for the biennium 1984-1985 under resolution A above, together with revised appropriations for 1982-1983 decreased by \$US 2,322,200<sup>104</sup> shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations as follows:

(a) \$28,570,700 being half of the estimated income other than staff assessment approved for the biennium 1984-1985 under resolution B above;

(b) \$604,500 being the increase in the revised income other than staff assessment for the biennium 1982-1983;<sup>105</sup>

(c) \$762,082,500 being the assessment on Member States in accordance with General Assembly resolution 37/125 A of 17 December 1982 on the scale of assessments for the years 1983, 1984 and 1985;

2. There shall be set off against the assessment on Member States, in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955, their respective share in the Tax Equalization Fund in the total amount of \$US 112,397,000 consisting of:

(a) \$113,375,700 being half of the estimated staff assessment income approved for the biennium 1984-1985 under resolution B above;

(b) Less \$978,700 being the decrease in the revised income from staff assessment for the biennium 1982-1983.<sup>105</sup>

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<sup>104</sup> See resolution 38/226 A above.

<sup>105</sup> See resolution 38/226 B above.

**38/237. Unforeseen and extraordinary expenses for the biennium 1984-1985***The General Assembly*

1. *Authorizes* the Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations and the provisions of paragraph 3 below, to enter into commitments in the biennium 1984-1985 to meet unforeseen and extraordinary expenses arising either during or subsequent to that biennium, provided that the concurrence of the Advisory Committee shall not be necessary for:

(a) Such commitments, not exceeding a total of \$US 2 million in any one year of the biennium 1984-1985, as the Secretary-General certifies relate to the maintenance of peace and security;

(b) Such commitments as the President of the International Court of Justice certifies relate to expenses occasioned by:

- (i) The designation of *ad hoc* judges (Statute of the Court, Article 31), not exceeding a total of \$200,000;
- (ii) The appointment of assessors (Statute, Article 30), or the calling of witnesses and the appointment of experts (Statute, Article 50), not exceeding a total of \$50,000;
- (iii) The maintenance in office of judges who have not been re-elected (Statute, Article 13, paragraph 3), not exceeding a total of \$200,000;
- (iv) The payment of pensions and travel and removal expenses of retiring judges, and travel and removal expenses and the installation grant of members of the Court, not exceeding a total of \$250,000;
- (v) The holding of sessions of the Court away from The Hague (Statute, Article 22), not exceeding a total of \$100,000;

(c) Such commitments, in an amount not exceeding \$300,000, in the biennium 1984-1985, as the Secretary-General certifies are required for interorganizational security measures pursuant to section IV of General Assembly resolution 36/235 of 18 December 1981;

2. *Resolves* that the Secretary-General shall report to the Advisory Committee on Administrative and Budgetary Questions and to the General Assembly at its thirty-ninth and fortieth sessions all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the Assembly in respect of such commitments;

3. *Decides* that if, as a result of a decision of the Security Council, commitments relating to the maintenance of peace and security should arise in an estimated total exceeding \$10 million either before the thirty-ninth session or between the thirty-ninth and fortieth sessions of the General Assembly, a special session of the Assembly shall be convened by the Secretary-General to consider the matter.

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**38/238. Working Capital Fund for the biennium 1984-1985***The General Assembly*

*Resolves* that:

1. The Working Capital Fund shall be established for the biennium 1984-1985 in the amount of \$US 100 million;

2. Member States shall make advances to the Working Capital Fund in accordance with the scale adopted by the General Assembly for contributions of Member States to the budget for the year 1984;

3. There shall be set off against this allocation of advances:

(a) Credits to Member States resulting from transfers made in 1959 and 1960 from surplus account to the Working Capital Fund in an adjusted amount of \$1,025,092;

(b) Cash advances paid by Member States to the Working Capital Fund for the biennium 1982-1983 under General Assembly resolution 36/231 B of 18 December 1981;

4. Should the credits and advances paid by any Member State to the Working Capital Fund for the biennium 1982-1983 exceed the amount of that Member State's advance under the provisions of paragraph 2 above, the excess shall be set off against the amount of the contributions payable by the Member State in respect of the biennium 1984-1985;

5. The Secretary-General is authorized to advance from the Working Capital Fund:

(a) Such sums as may be necessary to finance budgetary appropriations pending the receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(b) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolutions adopted by the General Assembly, in particular resolution 38/237 of 20 December 1983 relating to unforeseen and extraordinary expenses; the Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(c) Such sums as, together with net sums outstanding for the same purpose, do not exceed \$200,000, to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities; advances in excess of the total of \$200,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

(d) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, such sums as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the biennium in which payment is made; the Secretary-General shall make provision in the budget estimates of each biennium, during the life of the related policies, to cover the charges applicable to each biennium;

(e) Such sums as may be necessary to enable the Tax Equalization Fund to meet current commitments pending the accumulation of credits; such advances shall be repaid as soon as credits are available in the Tax Equalization Fund;

6. Should the provision in paragraph 1 above prove inadequate to meet the purposes normally related to the Working Capital Fund, the Secretary-General is authorized to utilize, in the biennium 1984-1985, cash from special funds and accounts in his custody, under the conditions approved in General Assembly resolution 1341 (XIII) of 13 December 1958, or the proceeds of loans authorized by the Assembly.

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**38/239. Pension scheme for the members of the International Court of Justice**

*The General Assembly,*

Recalling its resolutions 1562 (XV) of 18 December 1960, 1925 (XVIII) of 11 December 1963, 2367 (XXII) of 19 December 1967, 2890 A (XXVI) of 22 December 1971, 3193 A (XXVIII) of 18 December 1973 and 3537 A (XXX) of 17 December 1975, on the pension scheme for members of the International Court of Justice,

Having considered the report of the Secretary-General<sup>106</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>107</sup>

Decides to amend the Pension Scheme Regulations for members of the International Court of Justice as indicated in the annex to the present resolution, with effect from 1 January 1984.

*104th plenary meeting  
20 December 1983*

## ANNEX

**Amendments to the Pension Scheme Regulations of the International Court of Justice***Article I*

## RETIREMENT PENSION

Replace "the age of sixty-five" by "the age of sixty" wherever the term appears.

In paragraph 1 (a), replace "five years of service" by "three years of service".

*Article II*

## DISABILITY PENSION

Replace paragraph 2 by the following text:

"2. The amount of the disability pension shall be equal to the amount of the retirement pension which would have been payable to the member of the Court concerned had he, at the time of leaving office, completed the term for which he had been elected, provided that it shall not be less than one quarter of the annual salary".

*Article III*

## WIDOW'S PENSION

In paragraph 3 (b) and (c), replace "the age of sixty-five" by "the age of sixty".

*Article IV*

## CHILD'S BENEFIT

In paragraph 1 (a), last line, replace "1,200 dollars a year" by "one thirty-sixth of the annual base salary".

Add the following new paragraph 3:

"3. The age-limit mentioned in paragraph 1 above shall be waived if the child is incapacitated by illness or injury, and the benefit shall continue to be paid for as long as the child remains incapacitated."

*Article V*

## SPECIAL PROVISIONS

To be deleted.

*Article VI*

## DEFINITIONS

Renumber as article V.

Replace paragraph 2 by the following text:

"2. 'Annual salary' means the annual base salary, exclusive of any allowances, fixed by the General Assembly and received by the member at the time he ceased to hold office."

*Article VII*

## MISCELLANEOUS PROVISIONS

Renumber as article VI.

Replace paragraph 3 by the following text:

"3. The President of the Court and the Secretary-General shall determine conditions for the application of article IV, paragraph 3, and, on the advice of a qualified actuary or actuaries, establish a table of actuarial reduction factors."

*Article VIII*

## APPLICATION AND EFFECTIVE DATE

Renumber as article VII

Replace the entire article by the following text:

"1. The present Regulations shall be applicable as from 1 January 1984 to all who are members of the Court on or after that date, to their eligible beneficiaries and to recipients of pensions or benefits under article III or IV of the Regulations adopted on 19 December 1967.

"2. Pensions in payment shall be automatically revised by the same percentage and at the same date as pension entitlements.

"3. Former members of the Court who left office prior to 1 January 1968, or their eligible beneficiaries, shall continue to have their entitlements governed by the Regulations approved in General Assembly resolution 1562 (XV) or 1925 (XVIII), except that in their case the revised provisions of article III approved in General Assembly resolution 2367 (XXII) and the consequential changes in article IV shall continue to be applicable to all relevant entitlements, regardless of the date on which the said entitlements first became payable."

<sup>106</sup> A/C.5/38/27, paras. 86-106.

<sup>107</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23)*, document A/38/7/Add.23.



IX. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE<sup>1</sup>

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**38/126. Development and strengthening of good-neighbourliness between States**

*The General Assembly,*

*Bearing in mind* the determination of the peoples of the United Nations, as expressed in the Charter, to practice

tolerance and live together in peace with one another as good neighbours,

*Recalling* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, approved by its resolution 2625 (XXV) of 24 October 1970,

<sup>1</sup> For the decisions adopted on the reports of the Sixth Committee, see sect. X.B.7.

Recalling its resolutions 1236 (XII) of 14 December 1957, 1301 (XIII) of 10 December 1958, 2129 (XX) of 21 December 1965, 34/99 of 14 December 1979, 36/101 of 9 December 1981 and 37/117 of 16 December 1982,

*Bearing in mind* that, owing to geographic proximity and to other relevant reasons, there are particularly favourable opportunities for co-operation and mutual advantage between neighbouring countries, in many fields and various forms, and that the development of such co-operation may have a positive influence on international relations as a whole,

*Considering* that the great changes of a political, economic and social nature, as well as the scientific and technological progress which have taken place in the world and led to unprecedented interdependence of nations, have given new dimensions to good-neighbourliness in the conduct of States and increased the need to develop and strengthen it,

*Taking into account* the working paper concerning the development and strengthening of good-neighbourliness between States,<sup>2</sup> as well as the written replies sent by States and international organizations on the content of good-neighbourliness and on ways and means to enhance it<sup>3</sup> and the views expressed by States in 1981 and 1982 on this subject,<sup>4</sup>

*Recalling* its opinion that it is necessary to continue to examine the question of good-neighbourliness in order to strengthen and develop its content, as well as ways and modalities to enhance its effectiveness, and that the results of this examination could be included, at an appropriate time, in a suitable international document,

1. *Reaffirms* that good-neighbourliness fully conforms with the purposes of the United Nations and shall be founded upon the strict observance of the principles of the Charter and of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, and so presupposes the rejection of any acts seeking to establish zones of influence or domination;

2. *Calls once again upon* States, in the interest of the maintenance of international peace and security, to develop good-neighbourly relations, acting on the basis of these principles;

3. *Reaffirms* that the generalization of the long practice of good-neighbourliness and of principles and rules pertaining to it is likely to strengthen friendly relations and co-operation among States in accordance with the Charter;

4. *Deems it appropriate*, on the basis of the working paper concerning the development and strengthening of good-neighbourliness between States mentioned above, as well as of other proposals and ideas which have been or will be submitted by States, and the replies and views of States and international organizations, to start clarifying and formulating the elements of good-neighbourliness as part of a process of elaboration of a suitable international document on the subject;

5. *Requests* the Sixth Committee to decide, at the thirty-ninth session of the General Assembly, on the appropriate framework to accomplish the above-mentioned tasks;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Development and strengthening of good-neighbourliness between States".

101st plenary meeting  
19 December 1983

### 38/127. Consideration of the draft articles on most-favoured-nation clauses

*The General Assembly,*

*Recalling* its resolution 33/139 of 19 December 1978 relating to the report of the International Law Commission on the work of its thirtieth session,<sup>5</sup> in particular section II of that resolution,

*Recalling also* its resolutions 35/161 of 15 December 1980 and 36/111 of 10 December 1981, entitled "Consideration of the draft articles on most-favoured-nation clauses",

*Reaffirming its appreciation* of the high quality of the work done by the International Law Commission in elaborating a series of draft articles on most-favoured-nation clauses,

*Bearing in mind* the importance of facilitating international trade and the development of economic co-operation among all States on the basis of equality, mutual advantage and non-discrimination in the establishment of the new international economic order,

*Bearing in mind also* the complexity of codification or progressive development of international law on most-favoured-nation clauses at a time of rapid development of new forms of economic co-operation, notably those in favour of developing countries,

*Taking note* of the comments and observations submitted and of the statements made in the Sixth Committee at the thirty-fifth, thirty-sixth and thirty-eighth<sup>6</sup> sessions of the General Assembly, including the proposals for amendment of the draft articles adopted by the International Law Commission,

1. *Requests* the Secretary-General to reiterate his invitation to Member States and interested organs of the United Nations, as well as interested intergovernmental organizations, to submit or bring up to date, not later than 31 March 1985, any written comments and observations which they deem appropriate on chapter II of the report of the International Law Commission on the work of its thirtieth session, in particular on:

(a) The draft articles on most-favoured-nation clauses adopted by the International Law Commission;

(b) Those provisions relating to such clauses on which the International Law Commission was unable to take a decision;

(c) Any other aspects of problems relating to most-favoured-nation clauses that Governments may consider relevant in view of recent developments of international practice, including the recommendation of the International Law Commission on the conclusion of a convention;

2. *Also requests* the Secretary-General to invite Member States to comment on the most appropriate procedure for completing work on most-favoured-nation clauses and on the forum for future discussion, bearing in mind the suggestions and proposals made in the Sixth Committee,

<sup>2</sup> A/38/440, annex.

<sup>3</sup> See A/36/376 and Add.1, A/37/476 and A/38/336 and Add.1.

<sup>4</sup> See *Official Records of the General Assembly, Thirty-sixth Session, First Committee, 45th-51st meetings; ibid., First Committee, Sessional Fascicle, corrigendum; ibid., Thirty-seventh Session, First Committee, 46th-59th meetings; and ibid., First Committee, Sessional Fascicle, corrigendum.*

<sup>5</sup> *Ibid., Thirty-third Session, Supplement No. 10 (A/33/10).*

<sup>6</sup> *Ibid., Thirty-eighth Session, Sixth Committee, 18th, 20th-23rd, 25th and 59th meetings; and ibid., Sixth Committee, Sessional Fascicle, corrigendum.*

including the suggestion to establish a working group of the Sixth Committee after one of the existing working groups accomplishes its mandate;

3. *Further requests* the Secretary-General to submit to the General Assembly at its fortieth session a report containing the comments and observations received pursuant to paragraphs 1 and 2 above with a view to taking a final decision on the procedure to be followed;

4. *Decides* to include in the provisional agenda of its fortieth session the item entitled "Consideration of the draft articles on most-favoured-nation clauses".

*101st plenary meeting  
19 December 1983*

### **38/128. Progressive development of the principles and norms of international law relating to 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, 3362 (S-VII) of 16 September 1975 on development and international economic co-operation and 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

*Recalling* its resolutions 34/150 of 17 December 1979 and 35/166 of 15 December 1980, 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", and its resolutions 36/107 of 10 December 1981 and 37/103 of 16 December 1982, entitled "Progressive development of the principles and norms of international law relating to the new international economic order",

*Taking note* of the report of the Secretary-General,<sup>7</sup> particularly of the progress report prepared by the United Nations Institute for Training and Research,<sup>8</sup> of the analytical papers and analysis of texts of relevant instruments,<sup>9</sup> prepared by the consultants and the Institute in accordance with paragraph 4 of General Assembly resolution 37/103, of the views submitted by States in response to resolution 37/103<sup>10</sup> and of the report of the Panel of Experts,<sup>11</sup>

*Taking note*, in particular, of the recommendation of the Panel of Experts that the United Nations Institute for Training and Research should complete, in 1984, the analytical study on the progressive development of the principles and norms of international law relating to the new international economic order,<sup>12</sup>

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

1. *Requests* the United Nations Institute for Training and Research to continue preparing the third and final

phase of the analytical study and to complete it in time for the Secretary-General to submit it to the General Assembly at its thirty-ninth session;

2. *Also requests* the United Nations Institute for Training and Research to prepare a summary and an outline of the study in order to facilitate debate on the item;

3. *Urges* Member States to submit, not later than 31 May 1984, relevant information with respect to the study, including proposals concerning further action to be taken on the final study to be submitted to the General Assembly at its thirty-ninth session;

4. *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 United Nations 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 cooperate fully with the Institute in the implementation of the present resolution;

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the final study prepared by the United Nations Institute for Training and Research for its consideration, on a priority basis, under the item entitled "Progressive development of the principles and norms of international law relating to the new international economic order" to be included in the provisional agenda of that session.

*101st plenary meeting  
19 December 1983*

### **38/129. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law**

*The General Assembly,*

*Noting with appreciation* the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law<sup>13</sup> and the recommendations made to the Secretary-General by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, which are contained in that report,

*Considering* that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

*Noting with appreciation* the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

*Convinced*, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and to increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

*Recalling* that, in the conduct of the Programme, it is desirable to use as far as possible the resources and facili-

<sup>7</sup> A/38/366 and Corr.1 and 2 and Add.1.

<sup>8</sup> A/38/366 and Corr.1 and 2, sect. II.

<sup>9</sup> See UNITAR/DS/6.

<sup>10</sup> A/38/366/Add.1.

<sup>11</sup> A/38/366 and Corr.1 and 2, annex.

<sup>12</sup> *Ibid.*, para. 23.

<sup>13</sup> A/38/546.

ties made available by Member States, international organizations and others.

Noting that, following the request for voluntary contributions made to Member States by the Assembly in its resolution 36/108 of 10 December 1981, the fund of the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea has not yet become operational and consequently no fellowships have yet been awarded.

1. *Authorizes* the Secretary-General to carry out in 1984 and 1985 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships each in 1984 and 1985, at the request of Governments of developing countries;

(b) A minimum of one scholarship each in 1984 and 1985 under the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea to be financed by the voluntary contributions specifically made for the Fellowship as a result of the requests set out in paragraphs 9 and 10 below;

(c) Assistance in the form of a travel grant for one participant from each developing country who will be invited to the regional courses to be organized in 1984 and 1985; and to finance the above activities from provisions in the regular budget and also from voluntary financial contributions which would be received as a result of the requests set out in paragraphs 9 and 10 below;

2. *Expresses its appreciation* to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in 1982 and 1983;

3. *Expresses its appreciation* to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme, in particular for the efforts made to support the teaching of international law;

4. *Expresses its appreciation* to the United Nations Institute for Training and Research for its participation in the Programme, particularly in the organization of regional courses and in the conduct of the fellowship programme in international law sponsored jointly by the United Nations and the Institute;

5. *Also expresses its appreciation* to the States which provided host facilities for the regional training and refresher courses held in 1982 and 1983;

6. *Further expresses its appreciation* to the Hague Academy of International Law for the valuable contributions it has made to the Programme by enabling international law fellows under the sponsorship of the United Nations and the United Nations Institute for Training and Research to attend its annual international law courses and by providing facilities for seminars organized by the Institute in conjunction with the Academy courses, and for its constructive efforts in organizing the regional training and refresher courses held at Tunis in 1982;

7. *Notes with appreciation* the contributions made by the Hague Academy of International Law to the teaching, study, dissemination and wider appreciation of international law and calls upon Member States and interested organizations to give favourable consideration to the appeal of the Academy for a continuation of and, if possible, an increase in their financial contributions in order to enable the Academy to go on with the above-mentioned activities;

<sup>14</sup> At its 104th plenary meeting, on 20 December 1983, the General Assembly entrusted its President with the task of appointing the members of the Advisory Committee. The membership of the Committee will be announced as soon as the appointments have been made.

<sup>15</sup> Resolution 2625 (XXV), annex.

8. *Urges* all Governments to encourage the inclusion of courses on international law in the programmes of legal studies offered at institutions of higher learning;

9. *Requests* the Secretary-General to continue to publicize the Programme and to invite periodically Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion;

10. *Reiterates its request* to Member States and to interested organizations and individuals to make voluntary contributions towards the financing of the Programme and expresses its appreciation to those Member States that have made voluntary contributions for this purpose;

11. *Requests* the Secretary-General to report to the General Assembly at its fortieth session on the implementation of the Programme during 1984 and 1985 and, following consultations with the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, to submit recommendations regarding the execution of the Programme in subsequent years;

12. *Decides* to appoint thirteen Member States as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, for a period of four years beginning on 1 January 1984;<sup>14</sup>

13. *Decides* to include in the provisional agenda of its fortieth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

*101st plenary meeting  
19 December 1983*

**38/130. Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes**

*The General Assembly,*

*Recalling* its resolutions 3034 (XXVII) of 18 December 1972, 31/102 of 15 December 1976, 32/147 of 16 December 1977, 34/145 of 17 December 1979 and 36/109 of 10 December 1981,

*Recalling also* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>15</sup> the Declaration on the Strengthening of International Security,<sup>16</sup> the Definition of Aggression<sup>17</sup> and the Protocols Additional to the Geneva Conventions of 1949,<sup>18</sup>

*Deeply concerned* about continuing acts of international terrorism which take a toll of innocent human lives,

*Convinced* of the importance of international co-operation for dealing with acts of international terrorism,

<sup>16</sup> Resolution 2734 (XXV).

<sup>17</sup> Resolution 3314 (XXIX), annex.

<sup>18</sup> A/32/144, annexes I and II.



*Reaffirming* the principle of self-determination of peoples enshrined in the Charter of the United Nations,

*Reaffirming* the inalienable right to self-determination and independence of all peoples under colonial and racist régimes and other forms of alien domination, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,

*Taking note* of the report of the Secretary-General,<sup>19</sup>

1. *Deeply deplores* the loss of innocent human lives and the pernicious impact of acts of international terrorism on friendly relations among States as well as on international co-operation, including co-operation for development;

2. *Urges* all States, unilaterally and in co-operation with other States, as well as relevant United Nations organs to contribute to the progressive elimination of the causes underlying international terrorism;

3. *Invites* all States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem of international terrorism, such as the harmonization of domestic legislation with international conventions, the implementation of assumed international obligations and the prevention of the preparation and organization in their territory of acts directed against other States;

4. *Calls upon* all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State, or acquiescing in organized activities within their territory directed towards the commission of such acts;

5. *Appeals* to all States that have not yet done so to consider becoming parties to the existing international conventions relating to various aspects of the problem of international terrorism;

6. *Urges* all States to co-operate with one another more closely, especially through the exchange of relevant information concerning the prevention and combating of international terrorism, the apprehension and prosecution of the perpetrators of such acts, the conclusion of special treaties and/or the incorporation into appropriate bilateral treaties of special clauses, in particular regarding the extradition or prosecution of international terrorists;

7. *Re-endorses* the recommendations submitted by the *Ad Hoc* Committee on International Terrorism in its report to the General Assembly at its thirty-fourth session relating to practical measures of co-operation for the speedy elimination of the problem of international terrorism;<sup>20</sup>

8. *Calls upon* all States to observe and implement the recommendations submitted by the *Ad Hoc* Committee;

9. *Requests* the Secretary-General to follow up, as appropriate, the implementation of the present resolution and, in particular, of the recommendations submitted by the *Ad Hoc* Committee and to submit a report to the General Assembly at its fortieth session;

10. *Decides* to include the item in the provisional agenda of its fortieth session.

101st plenary meeting  
19 December 1983

### 38/131. Peaceful settlement of disputes between States

*The General Assembly:*

*Having examined* the item entitled "Peaceful settlement of disputes between States",

*Recalling* its resolution 37/10 of 15 November 1982, by which it approved the Manila Declaration on the Peaceful Settlement of International Disputes, annexed thereto,

*Deeply concerned* at the continuation of conflict situations and the emergence of new sources of disputes and tension in international life, and especially at the growing tendency to resort to force or the threat of force and to intervention in internal affairs, and at the escalation of the arms race, which gravely endanger the independence and security of States as well as international peace and security,

*Taking into account* the need to exert the utmost effort in order to settle any situations and disputes between States exclusively by peaceful means and to avoid any military action and hostilities against other States, which can only make more difficult the solution of existing problems,

*Considering* that the question of the peaceful settlement of disputes should represent one of the central concerns for States and for the United Nations, and that efforts for strengthening the process of the peaceful settlement of disputes should be continued,

*Taking note* of the working paper on the establishment of a permanent commission on good offices, mediation and conciliation for the settlement of disputes and the prevention of conflicts among States,<sup>21</sup> submitted to the General Assembly by Nigeria, the Philippines and Romania,

1. *Again urges* all States to observe and promote in good faith the provisions of the Manila Declaration on the Peaceful Settlement of International Disputes in the settlement of their international disputes;

2. *Stresses* the need to continue efforts to strengthen the process of the peaceful settlement of disputes through the progressive development and codification of international law and through enhancing the effectiveness of the United Nations in this field;

3. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, during its session in 1984, to continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(a) To consider the proposal contained in the above-mentioned working paper;

(b) To continue, in conformity with the agreement reached by the Special Committee,<sup>22</sup> consideration of the proposal concerning the elaboration of a handbook on the peaceful settlement of disputes between States;

4. *Requests* the Secretary-General, in the light of the report of the Special Committee,<sup>22</sup> to prepare a preliminary outline of the possible content of a handbook on the peaceful settlement of disputes between States, which will comprise all the existing means and mechanisms available for the purpose, and to submit this outline to the Special Committee at its session in 1984;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Peaceful settlement of disputes between States".

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<sup>19</sup> A/38/355 and Add.1-3.

<sup>20</sup> *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 37 (A/34/37)*, para. 118.

<sup>21</sup> A/38/343, annex.

<sup>22</sup> See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 33 (A/38/33)*, paras. 109 and 110.

### 38/132. Draft Code of Offences against the Peace and Security of Mankind

*The General Assembly,*

*Mindful* of Article 13, paragraph 1 *a*, of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

*Recalling* its resolution 177 (II) of 21 November 1947, by which it directed the International Law Commission to prepare a draft code of offences against the peace and security of mankind,

*Having considered* the draft Code of Offences against the Peace and Security of Mankind prepared by the International Law Commission and submitted to the General Assembly in 1954,<sup>23</sup>

*Recalling its belief* that the elaboration of a code of offences against the peace and security of mankind could contribute to strengthening international peace and security and thus to promoting and implementing the purposes and principles set forth in the Charter of the United Nations,

*Recalling* its resolution 36/106 of 10 December 1981, in which it invited the International Law Commission to resume its work with a view to elaborating the draft Code and to examine it with the required priority in order to review it, taking into account the results achieved by the process of the progressive development of international law,

*Taking into account* the views expressed during the debate on this item at the current session,<sup>24</sup>

*Taking note* of the report of the Special Rapporteur,<sup>25</sup>

*Taking into account* the importance and the urgency of the subject,

1. *Invites* the International Law Commission to continue its work on the elaboration of the draft Code of Offences against the Peace and Security of Mankind by elaborating, as a first step, an introduction in conformity with paragraph 67 of its report on the work of its thirty-fifth session,<sup>26</sup> as well as a list of the offences in conformity with paragraph 69 of that report;

2. *Requests* the Secretary-General to seek the views of Member States and intergovernmental organizations regarding the questions raised in paragraph 69 of the report of the International Law Commission<sup>26</sup> and to include them in a report to be submitted to the General Assembly at its thirty-ninth session with a view to adopting, at the appropriate time, the necessary decision thereon;

3. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Draft Code of Offences against the Peace and Security of Mankind", to be considered in conjunction with the consideration of the report of the International Law Commission.

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<sup>23</sup> *Ibid.*, Ninth Session, Supplement No. 9 (A/2693), para. 54.

<sup>24</sup> *Ibid.*, Thirty-eighth Session, Sixth Committee, 43rd, 49th-54th and 70th meetings; and *ibid.*, Sixth Committee, Sessional Fascicle, corrigendum.

<sup>25</sup> A/CN.4/364.

<sup>26</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 10 (A/38/10).

### 38/133. Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations

*The General Assembly,*

*Recalling* its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations<sup>27</sup> as well as other proposals made during the consideration of this item,

*Recalling also* its resolution 32/150 of 19 December 1977, by which it established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations,

*Recalling*, in particular, its resolutions 33/96 of 16 December 1978, 34/13 of 9 November 1979, 35/50 of 4 December 1980, 36/31 of 13 November 1981 and 37/105 of 16 December 1982, in which it decided that the Special Committee should continue its work,

*Taking note* of the statement made by the Chairman of the Special Committee at its session in 1983,<sup>28</sup> based on the informal working paper presented by the Chairman of the Special Committee at its session in 1982,<sup>29</sup>

*Having considered* the report of the Special Committee,<sup>30</sup>

*Taking note* of the prospects of progress in the work of the Special Committee registered during its session in 1983,

*Taking into account* that the Special Committee has not completed the mandate entrusted to it,

*Reaffirming* the need for effectiveness in the universal application of the principle of non-use of force in international relations and for assistance by the United Nations in this endeavour,

*Expressing the hope* that the Special Committee will, on the basis of the proposals before it, complete the mandate entrusted to it as soon as possible,

1. *Takes note* of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;

2. *Decides* that the Special Committee shall continue its work with the goal of drafting, at the earliest possible date, a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate;

3. *Requests* the Special Committee, in order to ensure further progress in its work, to continue at its session in 1984 the elaboration of the formulas of the working paper containing the main elements of the principle of non-use of force in international relations, taking duly into account the proposals submitted to it and the efforts undertaken at its session in 1983;

4. *Invites* Governments to communicate their comments or suggestions or to bring them up to date, in accordance with General Assembly resolution 31/9;

5. *Requests* the Special Committee to be mindful of the importance of reaching general agreement whenever it has significance for the outcome of its work;

<sup>27</sup> *Ibid.*, Thirty-fourth Session, Supplement No. 41 (A/34/41 and Corr.1), annex.

<sup>28</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 41 (A/38/41), para. 59.

<sup>29</sup> *Ibid.*, Thirty-seventh Session, Supplement No. 41 (A/37/41 and Corr.1), para. 372.

<sup>30</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 41 (A/38/41).

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

7. *Requests* the Special Committee to concentrate its work in the framework of its working group;

8. *Requests* the Secretary-General to provide the Special Committee with the necessary facilities and services;

9. *Invites* the Special Committee to submit a report on its work to the General Assembly at its thirty-ninth session;

10. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations".

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### 38/134. Report of the United Nations Commission on International Trade Law

*The General Assembly,*

*Having considered* the report of the United Nations Commission on International Trade Law on the work of its sixteenth session,<sup>31</sup>

*Recalling* that the object of the United Nations Commission on International Trade Law is the promotion of the progressive harmonization and unification of international trade law,

*Recalling* in this regard, its resolutions 2205 (XXI) of 17 December 1966, 3108 (XXVIII) of 12 December 1973, 34/142 of 17 December 1979, 36/32 of 13 November 1981, 36/111 of 10 December 1981 and 37/106 of 16 December 1982, as well as its previous resolutions concerning the reports of the United Nations Commission on International Trade Law on the work of its annual sessions,

*Recalling also* its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974 and 3362 (S-VII) of 16 September 1975,

*Reaffirming its conviction* that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic co-operation among all States on a basis of equality, equity and common interests and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

*Having regard* for the need to take into account the different social and legal systems in harmonizing and unifying the rules of international trade law,

*Stressing* the usefulness and importance of sponsoring symposia and seminars, including those organized on a regional basis, for promoting a better knowledge and understanding of international trade law and, especially, for the training of lawyers from developing countries in this field,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its sixteenth session;

2. *Commends* the United Nations Commission on International Trade Law for the progress made in its work and for having reached decisions by consensus;

3. *Calls upon* the United Nations Commission on International Trade Law, in particular its Working Group on the New International Economic Order, to continue to take account of the relevant provisions of the resolutions concerning the new international economic order, as adopted by the General Assembly at its sixth and seventh special sessions;

4. *Takes note with appreciation* of the commencement by the United Nations Commission on International Trade Law, through its Working Group on the New International Economic Order, of work on drafting a legal guide on drawing up contracts for the supply and construction of industrial works, identifying the legal issues involved in such contracts and suggesting possible solutions to assist parties, in particular from developing countries, in their negotiations;<sup>32</sup>

5. *Notes* that the United Nations Commission on International Trade Law has adopted Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance;<sup>33</sup>

6. *Notes with appreciation* the progress made by the Working Group on International Contract Practices of the United Nations Commission on International Trade Law in the preparation of a draft model law on international commercial arbitration for adoption by the Commission;<sup>34</sup>

7. *Reaffirms* the mandate of the United Nations Commission on International Trade Law, as the core legal body within the United Nations system in the field of international trade law, to co-ordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law, and, in this connection:

(a) Recommends that the Commission should continue to maintain close co-operation with the other international organs and organizations active in the field of international trade law, in particular the United Nations Conference on Trade and Development, the International Law Commission, the United Nations Industrial Development Organization, the Commission on Transnational Corporations, the International Institute for the Unification of Private Law and the Hague Conference on Private International Law;

(b) Welcomes the close co-operation with the Commission of regional organizations active in the field of international trade law;

(c) Reaffirms the importance of the participation of observers from all States and interested international organizations at sessions of the Commission and its Working Groups;

8. *Reaffirms* the importance of bringing into effect the conventions emanating from the work of the United Nations Commission on International Trade Law for the global unification and harmonization of international trade law;

9. *Reaffirms also* the importance, in particular for the developing countries, of the work of the United Nations Commission on International Trade Law concerned with training and assistance in the field of international trade law and the desirability for the Commission to sponsor symposia and seminars, in particular those organized on a regional basis, to promote training and assistance in the field of international trade law, and, in this connection:

(a) Notes with appreciation the collaboration of regional organizations with the secretariat of the Commis-

<sup>31</sup> *Ibid.*, Supplement No. 17 (A/38/17).

<sup>32</sup> *Ibid.*, chap. V.

<sup>33</sup> *Ibid.*, chap. II and annex I; see also resolution 38/135 below.

<sup>34</sup> *Ibid.*, chap. IV.

sion in organizing regional seminars including, in particular, the Asian-African Legal Consultative Committee, the Council for Mutual Economic Assistance and the Organization of American States, reaffirms the importance of this co-operation and recommends that the Commission should continue to maintain such close co-operation;

(b) Welcomes the additional initiatives being undertaken by the Commission and its secretariat to collaborate with other organizations and institutions in the organization of regional seminars;

(c) Expresses its appreciation to Governments and institutions for arranging seminars or symposia in the field of international trade law, in particular the Government of Australia for assisting in the organization of an Asian/Pacific regional trade law seminar and for making available fellowships, and invites such Governments and institutions to supply the secretariat of the Commission with copies of papers or proceedings in connection with these seminars or symposia in order to assist in the planning of future regional seminars;

(d) Invites Governments, relevant United Nations organs, organizations, institutions and individuals to assist the secretariat of the Commission in financing and organizing symposia and seminars;

10. *Recommends* that the United Nations Commission on International Trade Law should continue its work on the topics included in its programme of work;

11. *Reaffirms* the importance of the programme of work of the United Nations Commission on International Trade Law;

12. *Reaffirms also* the importance of the growing role of the International Trade Law Branch of the Office of Legal Affairs of the Secretariat, as the substantive secretariat of the United Nations Commission on International Trade Law, in assisting in the implementation of the work programme of the Commission and takes note with appreciation of its valuable services in the performance of this role;

13. *Requests* the Secretary-General to forward to the United Nations Commission on International Trade Law the records of the discussion at the thirty-eighth session of the General Assembly relating to the report of the Commission on the work of its sixteenth session.<sup>35</sup>

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### **38/135. Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance**

*The General Assembly,*

*Recognizing* that a wide range of international trade contracts contain clauses obligating a party that fails to perform an obligation under the contract to pay an agreed sum to the other party,

*Noting* that the effect and validity of such clauses are often uncertain owing to disparities in the treatment of such clauses in various legal systems,

*Believing* that these uncertainties constitute an obstacle to the flow of international trade,

*Being of the opinion* that it would be desirable for the legal rules applicable to such clauses to be harmonized so as to reduce or eliminate the uncertainties concerning such

clauses and remove these uncertainties as a barrier to the flow of international trade,

*Noting* that the United Nations Commission on International Trade Law has adopted Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance,<sup>36</sup>

*Recognizing* that there are various ways in which the Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance could be implemented by States, and being of the opinion that a recommendation by the General Assembly to States that they should implement the Uniform Rules in an appropriate manner would not prejudice the Assembly from making a further recommendation or taking further action with respect to the Uniform Rules if circumstances so warrant,

*Recommends* that States should give serious consideration to the Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance adopted by the United Nations Commission on International Trade Law and, where appropriate, implement them in the form of either a model law or a convention.

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### **38/136. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives**

*The General Assembly,*

*Having considered* the report of the Secretary-General,<sup>37</sup>

*Emphasizing* the important role of diplomatic and consular missions and representatives, as well as of missions and representatives to international intergovernmental organizations and officials of such organizations, in the maintenance of international peace and the promotion of friendly relations among States,

*Emphasizing also* the duty of States to take all appropriate steps, as required by international law:

(a) To protect the premises of diplomatic and consular missions, as well as of missions to international intergovernmental organizations;

(b) To prevent any attacks on diplomatic and consular representatives, as well as on representatives to international intergovernmental organizations and officials of such organizations;

(c) To bring the offenders to justice;

*Deeply concerned* about the continued large number of failures to respect the inviolability of diplomatic and consular missions and representatives, and about the serious threat presented by such violations to the maintenance of normal and peaceful international relations, which are necessary for co-operation among States,

*Expressing its sympathy* for the victims of illegal acts against diplomatic and consular representatives and missions as well as against representatives and missions to international intergovernmental organizations and officials of such organizations,

*Convinced* that respect for the principles and rules of international law governing diplomatic and consular relations, in particular those aimed at ensuring the inviolability of diplomatic and consular missions and representatives, is a basic prerequisite for the normal conduct of

<sup>35</sup> *Ibid.*, Thirty-eighth Session, Sixth Committee, 2nd-8th and 59th meetings; and *ibid.*, Sixth Committee, Sessional Fascicle, corrigendum.

<sup>36</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 17 (A/38/17), chap. II and annex I.

<sup>37</sup> A/38/379 and Corr.1 and Add.1-3.

relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations.

*Noting* that only a small number of States have so far, in response to the call by the General Assembly at its thirty-fifth, thirty-sixth and thirty-seventh sessions, become parties to the relevant conventions concerning the inviolability of diplomatic and consular missions and representatives,

*Convinced* that the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in Assembly resolutions 36/33 of 13 November 1981 and 37/108 of 16 December 1982 are important steps in the efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

*Desiring* to maintain and further strengthen those reporting procedures,

1. *Takes note* of the report of the Secretary-General;
2. *Strongly condemns* acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations;
3. *Emphasizes* the importance of enhanced awareness throughout the world of the necessity of ensuring the protection, security and safety of such missions, representatives and officials, as well as of the role of the United Nations in this regard;
4. *Urges* States to observe and to implement the principles and rules of international law governing diplomatic and consular relations and, in particular, to take all necessary measures in conformity with their international obligations to ensure effectively the protection, security and safety of all diplomatic and consular missions and representatives officially present in territory under their jurisdiction, including practicable measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions and representatives;

5. *Recommends* that States should co-operate closely through, *inter alia*, contacts between the diplomatic and consular missions and the receiving State, with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives and with regard to exchange of information on the circumstances of all serious violations thereof;

6. *Calls upon* States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives;

7. *Calls upon* States, in cases where a dispute arises in connection with a violation of the principles and rules of international law concerning the inviolability of diplomatic and consular missions and representatives, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General;

8. *Requests*:

(a) All States to report to the Secretary-General as promptly as possible serious violations of the protection, security and safety of diplomatic and consular missions and representatives;

(b) The State in which the violation took place—and, to the extent applicable, the State where the alleged

offender is present—to report as promptly as possible on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and on measures adopted with a view to preventing a repetition of such violations;

9. *Requests* the Secretary-General to circulate to all States, upon receipt, the reports received by him pursuant to paragraph 8 above, unless the reporting State requests otherwise;

10. *Requests* the Secretary-General to invite States to inform him of their views with respect to any measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives;

11. *Also requests* the Secretary-General, when a serious violation has been reported pursuant to paragraph 8 (a) above, to draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 8 above;

12. *Further requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on the state of ratification of, and accessions to, the instruments referred to in paragraph 6 above, as well as the reports received and views expressed pursuant to paragraphs 8 and 10 above, and invites him to submit any views he may wish to express on these matters;

13. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives: report of the Secretary-General".

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### **38/137. Drafting of an international convention against the recruitment, use, financing and training of mercenaries**

*The General Assembly,*

*Bearing in mind* the need for strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, enshrined in the Charter of the United Nations and developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>38</sup>

*Recalling* its resolutions, particularly resolutions 2395 (XXIII) of 29 November 1968, 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970, 3103 (XXVIII) of 12 December 1973 and its resolution 1514 (XV) of 14 December 1960, as well as Security Council resolutions 405 (1977) of 14 April 1977, 419 (1977) of 24 November 1977, 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982, in which the United Nations denounced the practice of using mercenaries, in particular against developing countries and national liberation movements,

*Recalling in particular* its resolution 37/109 of 16 December 1982, by which it renewed the mandate of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries, composed of thirty-five Member States.

<sup>38</sup> Resolution 2625 (XXV), annex.

Having considered the report of the *Ad Hoc* Committee on its third session,<sup>39</sup>

Recognizing that the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and seriously impede the process of self-determination of peoples struggling against colonialism, racism and *apartheid* and all forms of foreign domination,

Bearing in mind the pernicious impact that the activities of mercenaries have on international peace and security,

Considering that the progressive development and codification of the rules of international law on mercenaries would contribute immensely to the implementation of the purposes and principles of the Charter,

Taking account of the fact that, although the *Ad Hoc* Committee has made substantial progress, it has not yet fulfilled its mandate,

Reaffirming the need for the elaboration, at the earliest possible date, of an international convention against the recruitment, use, financing and training of mercenaries,

1. Takes note of the report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries and the progress made by the *Ad Hoc* Committee, especially during its third session;

2. Decides that the *Ad Hoc* Committee shall continue its work, with the goal of drafting, at the earliest possible date, an international convention against the recruitment, use, financing and training of mercenaries;

3. Requests the *Ad Hoc* Committee, in the fulfilment of its mandate, to consider the suggestions and proposals of Member States, bearing in mind the views and comments submitted to the Secretary-General and those expressed at the thirty-eighth session of the General Assembly during the debate in the Sixth Committee devoted to the consideration of the report of the *Ad Hoc* Committee, including the various views expressed on the definition of the term "mercenary";<sup>40</sup>

4. Invites the *Ad Hoc* Committee to take into account the draft articles contained in paragraph 56 of its report<sup>39</sup> for the elaboration of the provisions relating to the scope of the convention, the definition of the term "mercenary" and the obligations of States, as well as the proposals which have been made and which may be submitted at its next session;

5. Requests the Secretary-General to make available to the *Ad Hoc* Committee at its fourth session any up-to-date and relevant documentation on the subject;

6. Also requests the Secretary-General to provide the *Ad Hoc* Committee with any assistance and facilities it may require for the performance of its work, such as preparing a topical summary of the discussions that have taken place in the Sixth Committee during the thirty-eighth session of the General Assembly;

7. Decides that the *Ad Hoc* Committee shall hold its fourth session for four weeks, from 30 July to 24 August 1984;

8. Requests the *Ad Hoc* Committee to make every effort to complete its mandate at its fourth session;

9. Also requests the *Ad Hoc* Committee to submit its report to the General Assembly at its thirty-ninth session;

10. Decides to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the *Ad*

*Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries".

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### 38/138. Report of the International Law Commission

*The General Assembly.*

Having considered the report of the International Law Commission on the work of its thirty-fifth session,<sup>41</sup>

Emphasizing the need for the progressive development of international law and its codification in order to make it a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations<sup>42</sup> and to give increasing importance to its role in relations among States,

Recognizing the importance of referring legal and drafting questions to the Sixth Committee, including topics which might be submitted to the International Law Commission, and of enabling the Sixth Committee and the Commission further to enhance their contributions to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the contemporary international community, may be suitable for progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

1. Takes note of the report of the International Law Commission on the work of its thirty-fifth session;

2. Expresses its appreciation to the International Law Commission for the work accomplished at that session;

3. Recommends that, taking into account the comments of Governments, whether in writing or expressed orally in debates in the General Assembly, the International Law Commission should continue its work on all the topics in its current programme;

4. Expresses its satisfaction with the conclusions and intentions of the International Law Commission concerning its procedures and methods of work, as reflected in paragraphs 305 to 307 and 310 to 314 of its report;<sup>41</sup>

5. Reaffirms its previous decisions concerning the increased role of the Codification Division of the Office of Legal Affairs of the Secretariat and those concerning the documentation of the International Law Commission and endorses the request of the Commission contained in paragraph 310 of its report;

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

7. Reaffirms its wish that the International Law Commission continue to enhance its co-operation with inter-governmental legal bodies whose work is of interest for the

<sup>39</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 43 (A/38/43).

<sup>40</sup> *Ibid.*, Thirty-eighth Session, Sixth Committee, 19th-29th and 57th-61st meetings; and *ibid.*, Sixth Committee, Sessional Fascicle, corrigendum.

<sup>41</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 10 (A/38/10).

<sup>42</sup> Resolution 2625 (XXV), annex.

progressive development of international law and its codification;

8. *Expresses the wish* that seminars will continue to be held in conjunction with sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars;

9. *Requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the thirty-eighth session of the General Assembly<sup>43</sup> and to prepare and distribute a topical summary of the debate.

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### 38/139. United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations

*The General Assembly,*

*Recalling* its resolution 37/112 of 16 December 1982, by which it decided that an international convention should be concluded on the basis of the draft articles on the law of treaties between States and international organizations or between international organizations, adopted by the International Law Commission at its thirty-fourth session,<sup>44</sup>

*Recalling further* that, by its resolution 37/112, it agreed to decide at its thirty-eighth session upon the appropriate forum for the adoption of the convention in the light of the comments received in accordance with that resolution,

*Having received* the report of the Secretary-General<sup>45</sup> which contains the comments and observations submitted by a number of States and principal international intergovernmental organizations, in accordance with General Assembly resolution 37/112, and having further received the statement adopted by the Administrative Committee on Co-ordination,<sup>46</sup>

1. *Decides* that the appropriate forum for the final consideration of the draft articles on the law of treaties between States and international organizations or between international organizations, adopted by the International Law Commission at its thirty-fourth session, shall be a conference of plenipotentiaries to be convened not earlier than 1985;

2. *Agrees* to decide at its thirty-ninth session upon the question of the date and place for the convening of the United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations, as well as upon the question of participation in the Conference;

3. *Invites* States that have not already done so to submit, not later than 1 July 1984, their written comments and observations on the final draft articles on the law of treaties between States and international organizations or between international organizations prepared by the International Law Commission, as well as on the questions referred to in paragraph 60 of the report of the Commission on the work of its thirty-fourth session;<sup>44</sup>

4. *Invites also* the principal international intergovernmental organizations that have not already done so to sub-

mit, within the same period, their written comments and observations on the subject;

5. *Requests* the Secretary-General to circulate such comments so as to facilitate the discussion on the subject at the thirty-ninth session of the General Assembly;

6. *Appeals* to potential participants in the Conference to undertake consultations on the draft articles concerned and other related questions prior to the thirty-ninth session of the General Assembly, in order to facilitate the successful conclusion of the work of the Conference;

7. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations".

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### 38/140. Report of the Committee on Relations with the Host Country

*The General Assembly,*

*Having considered* the report of the Committee on Relations with the Host Country,<sup>47</sup>

*Recalling* Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations<sup>48</sup> and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,<sup>49</sup>

*Recalling further* that the problems related to the privileges and immunities of all missions accredited to the United Nations, the security of the missions and the safety of their personnel are of great importance and concern to Member States, as well as the primary responsibility of the host country,

*Noting with deep concern* the continued acts violating the security and the safety of the personnel of those missions accredited to the United Nations,

*Recognizing* that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations of the Committee on Relations with the Host Country contained in paragraph 60 of its report;<sup>47</sup>

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

3. *Urges* the host country to continue to take all necessary measures to ensure effectively the protection, security and safety of the missions accredited to the United Nations and their personnel, including practicable measures to prohibit illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts and activities against the security and safety of such missions and representatives;

4. *Recalls* that continued adherence to the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations remains an indispensable condition for the normal functioning of the Organization;

<sup>43</sup> *Official Records of the General Assembly, Thirty-eighth Session, Sixth Committee, 34th, 36th-50th, 54th and 70th meetings; and ibid., Sixth Committee, Sessional Fascicle, corrigendum.*

<sup>44</sup> *Ibid., Thirty-seventh Session, Supplement No. 10 (A/37/10), chap. II.*

<sup>45</sup> A/38/145 and Corr.1 and Add.1.

<sup>46</sup> A/C.6/38/4, annex.

<sup>47</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 26 (A/38/26).*

<sup>48</sup> Resolution 22 A (I).

<sup>49</sup> Resolution 169 (II).

5. *Calls upon* all countries to build up public awareness by explaining the importance of the role played by the United Nations and all missions accredited to it in the strengthening of international peace and security;

6. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country and to continue to stress the importance of effective measures to avoid acts of terrorism and violence against the missions and their personnel;

7. *Requests* the Committee on Relations with the Host Country to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the Committee on Relations with the Host Country".

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### **38/141. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization**

*The General Assembly,*

*Reaffirming* its support for the purposes and principles set forth in the Charter of the United Nations,

*Recalling* its resolutions 686 (VII) of 5 December 1952, 992 (X) of 21 November 1955, 2285 (XXII) of 5 December 1967, 2552 (XXIV) of 12 December 1969, 2697 (XXV) of 11 December 1970, 2968 (XXVII) of 14 December 1972 and 3349 (XXIX) of 17 December 1974,

*Recalling also* its resolutions 2925 (XXVII) of 27 November 1972, 3073 (XXVIII) of 30 November 1973 and 3282 (XXIX) of 12 December 1974 on the strengthening of the role of the United Nations,

*Recalling especially* its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its resolutions 31/28 of 29 November 1976, 32/45 of 8 December 1977, 33/94 of 16 December 1978, 34/147 of 17 December 1979, 35/164 of 15 December 1980, 36/122 of 11 December 1981 and 37/114 of 16 December 1982,

*Taking note* of the report of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh session,<sup>50</sup> as well as of the views and comments expressed on it by Member States,<sup>51</sup>

*Having considered* the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of the session it held in 1983,<sup>52</sup>

*Noting* the importance that pre-session consultations among the members of the Special Committee and other interested States may have in facilitating the fulfilment of its task,

*Considering* that the Special Committee has not yet fulfilled the mandate entrusted to it,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;

2. *Decides* that the Special Committee shall convene its next session from 2 to 27 April 1984;

3. *Requests* the Special Committee at its next session:

(a) To accord priority by devoting more time to the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations, in particular the Security Council, and to enable it to discharge fully its responsibilities under the Charter in this field; this necessitates the examination, *inter alia*, of the prevention and removal of threats to the peace and of situations which may lead to international friction or give rise to a dispute; the Special Committee will work on all questions with the aim of submitting its conclusions to the General Assembly, in accordance with paragraph 4 below, for the adoption of such recommendations as the Assembly deems appropriate;

(b) To continue its work on the question of the peaceful settlement of disputes between States and in this context:

(i) To consider the proposal contained in the working paper on the establishment of a permanent commission on good offices, mediation and conciliation for the settlement of disputes and the prevention of conflicts among States;<sup>53</sup>

(ii) To continue, in conformity with the agreement reached by the Special Committee,<sup>54</sup> the consideration of the proposal concerning the elaboration of a handbook on the peaceful settlement of disputes between States;

(c) To finalize its present work on the question of the rationalization of existing procedures, with a view to submitting its conclusions to the General Assembly at its thirty-ninth session;

4. *Also requests* the Special Committee to be mindful of the importance of reaching general agreement whenever that has significance for the outcome of its work;

5. *Urges* members of the Special Committee to participate fully in its work in fulfilment of the mandate entrusted to it;

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

7. *Invites* Governments to submit or to bring up to date, if they deem it necessary, their observations and proposals, in accordance with General Assembly resolution 3499 (XXX);

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

9. *Requests* the Special Committee to submit a report on its work to the General Assembly at its thirty-ninth session;

10. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

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<sup>50</sup> Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1).

<sup>51</sup> See A/38/358.

<sup>52</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 33 (A/38/33).

<sup>53</sup> A/38/343, annex.

<sup>54</sup> See Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 33 (A/38/33), paras. 109 and 110.



**38/142. Draft Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally**

*The General Assembly,*

*Recalling* its resolution 36/167 of 16 December 1981, whereby it decided, *inter alia*, that appropriate measures should be taken to finalize the draft Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally,

*Noting*, in this connection, the current efforts of the Commission on Human Rights to elaborate a draft Convention on the Rights of the Child,

*Recalling* the action taken by the Economic and Social Council on the draft Declaration,<sup>55</sup>

*Bearing in mind* the reports of the Secretary-General of 8 September 1980,<sup>56</sup> 19 October 1982<sup>57</sup> and 6 October 1983,<sup>58</sup> containing the views of Member States on the text of the draft Declaration,

*Noting* that the first of the above-mentioned reports contains, in section VI, some proposed amendments and reformulations of certain articles based on comments by Member States,

*Fully aware* of the sovereign right of Governments to define their national and international policies as regards the protection and welfare of children, including foster placement and adoption,

*Bearing in mind* the existence of different national legislation in the field of the protection and welfare of children,

*Recognizing* that it is the responsibility of Governments to determine the adequacy of their national services for

children and to recognize those children whose needs are not being met by existing services,

*Noting* the usefulness of regional co-operation in matters regarding the well-being of children,

*Recognizing* that the best child welfare is good family welfare and that, when family care is unavailable or inappropriate, substitute family care should be considered, in conformity with national legislation,

*Convinced* that adoption of the draft Declaration will promote the well-being of children with special needs,

1. *Requests* the Secretary-General to invite Member States to comment on the most appropriate procedure for completing work on the draft Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally and the forum for future discussion, bearing in mind the suggestions and proposals made in the Sixth Committee;

2. *Also requests* the Secretary-General to submit to the General Assembly at its thirty-ninth session a report containing the comments and observations received pursuant to paragraph 1 above, with a view to taking a final decision on the procedure to be followed;

3. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "Consideration of the draft Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally".

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<sup>55</sup> See A/C.3/36/3.

<sup>56</sup> A/35/336.

<sup>57</sup> A/37/146.

<sup>58</sup> A/38/389 and Add.1-3.



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## A. ELECTIONS AND APPOINTMENTS

### 38/301. Appointment of the members of the Credentials Committee

At its 1st plenary meeting, on 20 September 1983, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed the following nine States members of the Credentials Committee: CHINA, COLOMBIA, INDONESIA, JAMAICA, MALI, PORTUGAL, UGANDA, UNION OF SOVIET SOCIALIST REPUBLICS and UNITED STATES OF AMERICA.

### 38/302. Election of the President of the General Assembly<sup>2</sup>

At its 1st plenary meeting, on 20 September 1983, the General Assembly, in accordance with Article 21 of the Charter of the United Nations and rule 31 of the rules of procedure of the Assembly, elected Mr. Jorge E. ILLUECA (Panama) President of the General Assembly.

### 38/303. Election of the Chairmen of the Main Committees<sup>2</sup>

On 20 September 1983, the seven Main Committees of the General Assembly held meetings, in accordance with rule 103 of the rules of procedure of the Assembly, for the purpose of electing their Chairmen.

At the 2nd plenary meeting, on 20 September 1983, the President of the General Assembly announced that the following persons had been elected Chairmen of the Main Committees:

<sup>2</sup> In accordance with rule 38 of the rules of procedure of the General Assembly, the General Committee consists of the President of the Assembly, the twenty-one Vice-Presidents and the Chairmen of the seven Main Committees.

- First Committee:* Mr. Tom ERIC VRAALSEN (Norway).  
*Special Political Committee:* Mr. Ernesto RODRÍGUEZ MEDINA (Colombia).  
*Second Committee:* Mr. Peter DIETZE (German Democratic Republic).  
*Third Committee:* Mr. Saroj CHAVANAVIRAJ (Thailand).  
*Fourth Committee:* Mr. Ali TREIKI (Libyan Arab Jamahiriya).  
*Fifth Committee:* Mr. Sumihiro KUYAMA (Japan).  
*Sixth Committee:* Mr. Elies GASTLI (Tunisia).

### 38/304. Election of the Vice-Presidents of the General Assembly<sup>2</sup>

At its 2nd plenary meeting, on 20 September 1983, the General Assembly, in accordance with rule 31 of its rules of procedure, elected the representatives of the following twenty-one Member States Vice-Presidents of the General Assembly: ALGERIA, BELGIUM, BHUTAN, BURUNDI, CANADA, CHINA, CZECHOSLOVAKIA, FRANCE, GUYANA, LEBANON, LIBERIA, NEPAL, PAKISTAN, SIERRA LEONE, SINGAPORE, SUDAN, SWAZILAND, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA and VENEZUELA.

### 38/305. Appointment of members of the Advisory Committee on Administrative and Budgetary Questions

#### A

##### APPOINTMENT OF A MEMBER OF THE COMMITTEE

At its 18th plenary meeting, on 4 October 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>3</sup> appointed the following person as a member of the Advisory Committee on Administrative and Budgetary Questions for a term beginning on 4 October 1983 and ending on 31 December 1984:

Mr. Igor Vasilevich KHALEVINSKI.

#### B

##### APPOINTMENT OF SIX MEMBERS OF THE COMMITTEE

At its 104th plenary meeting, on 20 December 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>4</sup> appointed the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term beginning on 1 January 1984:

Mr. Henrik AMNÉUS.

Mr. MA Longde.

Mr. Andrew Robin MURRAY.

Mr. Samuel PINHEIRO-GUIMARÃES.

Mr. Banbit A. ROY.

Mr. Yukio TAKASU.

As a result, the Advisory Committee on Administrative and Budgetary Questions is composed as follows: Mr. Henrik AMNÉUS (Sweden),\*\*\* Mr. Traian CHEBELEU (Romania),\*\* Mr. Mohamed Maloum FALL (Mauritania),\*\* Mr. Enrique FERRER VIEYRA (Argentina),\* Mrs. Virginia HOUSHOLDER (United States of America),\* Mr. Igor Vasilevich KHALEVINSKI (Union of Soviet Socialist Republics),\* Mr. Rachid LAHLOU (Morocco),\* Mr. MA Longde (China),\*\*\* Mr. Mohammad Samir MANSOURI (Syrian Arab Republic),\*\* Mr. C. S. M. MSELLE (United Republic of Tanzania),\*\* Mr. Andrew Robin MURRAY (United Kingdom of Great Britain and Northern Ireland),\*\*\* Mr. Carl PEDERSEN (Canada),\* Mr. Samuel PINHEIRO-GUIMARÃES (Brazil),\*\*\* Mr. Banbit A. ROY (India),\*\*\* Mr. Yukio TAKASU (Japan)\*\*\* and Mr. Christopher R. THOMAS (Trinidad and Tobago).\*\*

\* Term of office expires on 31 December 1984.

\*\* Term of office expires on 31 December 1985.

\*\*\* Term of office expires on 31 December 1986.

<sup>3</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 17, document A/38/461, para. 4.*

<sup>4</sup> *Ibid.*, document A/38/461 Add.1, para. 5.

**38/306. Election of five non-permanent members of the Security Council**

At its 40th plenary meeting, on 31 October 1983, the General Assembly, in accordance with Article 23 of the Charter of the United Nations and rule 142 of the rules of procedure of the Assembly, elected EGYPT, INDIA, PERU, the UKRAINIAN SOVIET SOCIALIST REPUBLIC and the UPPER VOLTA non-permanent members of the Security Council for a two-year term beginning on 1 January 1984 to fill the vacancies occurring on the expiration of the terms of office of GUYANA, JORDAN, POLAND, TOGO and ZAIRE.

As a result, the Security Council is composed of the following Member States: CHINA, EGYPT,\*\* FRANCE, INDIA,\*\* MALTA,\* NETHERLANDS,\* NICARAGUA,\* PAKISTAN,\* PERU,\*\* UKRAINIAN SOVIET SOCIALIST REPUBLIC,\*\* UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA, UPPER VOLTA\*\* and ZIMBABWE.\*

\* Term of office expires on 31 December 1984.

\*\* Term of office expires on 31 December 1985.

**38/307. Election of eighteen members of the Economic and Social Council**

At its 40th, 65th and 105th plenary meetings, on 31 October and 21 November 1983 and 26 June 1984,<sup>5</sup> the General Assembly, in accordance with Article 61 of the Charter of the United Nations and rule 145 of the rules of procedure of the Assembly, elected ARGENTINA, CANADA, CHINA, COSTA RICA, FINLAND, GUYANA, INDONESIA, PAPUA NEW GUINEA, POLAND, RWANDA, SOMALIA, SRI LANKA, SWEDEN, UGANDA, the UNION OF SOVIET SOCIALIST REPUBLICS, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, YUGOSLAVIA and ZAIRE members of the Economic and Social Council for a three-year term beginning on 1 January 1984 to fill the vacancies occurring on the expiration of the terms of office of ARGENTINA, BANGLADESH, BURUNDI, the BYELORUSSIAN SOVIET SOCIALIST REPUBLIC, CAMEROON, CANADA, CHINA, DENMARK, FIJI, INDIA, KENYA, NICARAGUA, NORWAY, PERU, POLAND, the SUDAN, the UNION OF SOVIET SOCIALIST REPUBLICS and the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND.

As a result, the Economic and Social Council is composed of the following Member States: ALGERIA,\*\* ARGENTINA,\*\*\* AUSTRIA,\* BENIN,\* BOTSWANA,\*\* BRAZIL,\* BULGARIA,\*\* CANADA,\*\*\* CHINA,\*\*\* COLOMBIA,\* CONGO,\*\* COSTA RICA,\*\*\* DJIBOUTI,\*\* ECUADOR,\*\* FINLAND,\*\*\* FRANCE,\* GERMAN DEMOCRATIC REPUBLIC,\*\* GERMANY, FEDERAL REPUBLIC OF,\* GREECE,\* GUYANA,\*\*\* INDONESIA,\*\*\* JAPAN,\* LEBANON,\*\* LIBERIA,\* LUXEMBOURG,\*\* MALAYSIA,\*\* MALI,\* MEXICO,\*\* NETHERLANDS,\*\* NEW ZEALAND,\*\* PAKISTAN,\* PAPUA NEW GUINEA,\*\*\* POLAND,\*\*\* PORTUGAL,\* QATAR,\* ROMANIA,\* RWANDA,\*\*\* SAINT LUCIA,\* SAUDI ARABIA,\*\* SIERRA LIONE,\*\* SOMALIA,\*\*\* SRI LANKA,\*\*\* SURINAME,\*\* SWAZILAND,\* SWEDEN,\*\*\* THAILAND,\*\* TUNISIA,\* UGANDA,\*\*\* UNION OF SOVIET SOCIALIST REPUBLICS,\*\*\* UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,\*\*\* UNITED STATES OF AMERICA,\*\* VENEZUELA,\* YUGOSLAVIA\*\*\* and ZAIRE.\*\*\*

\* Term of office expires on 31 December 1984.

\*\* Term of office expires on 31 December 1985.

\*\*\* Term of office expires on 31 December 1986.

**38/308. Appointment of six members of the Committee on Contributions**

At its 71st plenary meeting, on 25 November 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>6</sup> appointed the following persons as members of the Committee on Contributions:

(a) For a three-year term beginning on 1 January 1984:

Mr. Marco António DINIZ BRANDÃO,  
Mr. Leoncio FERNÁNDEZ MAROTO,  
Mr. Lance L. E. JOSEPH,  
Mr. Atilio Norberto MOLteni,  
Mr. Aluseye D. ODUYEMI,  
Mr. Omar SIRRY;

(b) For a one-year term beginning on 1 January 1984:

Mr. Javier CASTILLO AYALA.

As a result, the Committee on Contributions is composed as follows: Mr. Andrzej ABRASZEWSKI (Poland),\*\* Mr. Nobutoshi AKAO (Japan),\*\* Mr. Amjad Ali (Pakistan),\* Mr. Mohammed Sadiq Al-MAHDI (Iraq),\*\* Mr. Javier CASTILLO AYALA (Mexico),\* Mr.

<sup>5</sup> By its decision 38/456 of 20 December 1983 (see sect. X.B.1), the General Assembly had decided to retain the item on its agenda.

<sup>6</sup> Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 17, document A/38/462, para. 4.



Anatoly Semënovich CHISTYAKOV (*Union of Soviet Socialist Republics*),\* Mr. Marco Antônio DINIZ BRANDÃO (*Brazil*),\*\*\* Mr. Hamed Arabi El. HOUDERI (*Libyan Arab Jamahiriya*),\*\* Mr. Leoncio FERNÁNDEZ MAROTO (*Spain*),\*\*\* Mr. Richard V. HENNES (*United States of America*),\*\* Mr. Lance L. E. JOSEPH (*Australia*),\*\*\* Mr. Wilfried KOSCHORRECK (*Federal Republic of Germany*),\* Mr. Zoran LAZAREVIĆ (*Yugoslavia*),\*\* Mr. Atilio Norberto MOLTENI (*Argentina*),\*\*\* Mr. Aluseye D. ODUYEMI (*Nigeria*),\*\*\* Mr. Omar SIRRY (*Egypt*),\*\*\* Mr. YANG Hushan (*China*)\* and Mr. Philippe ZELLER (*France*)\*.

\* Term of office expires on 31 December 1984.

\*\* Term of office expires on 31 December 1985.

\*\*\* Term of office expires on 31 December 1986.

### 38/309. Appointment of a member of the Board of Auditors

At its 71st plenary meeting, on 25 November 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>7</sup> appointed the Chairman of the Commission of Audit of the PHILIPPINES as a member of the Board of Auditors for a three-year term beginning on 1 July 1984.

As a result, the Board of Auditors is composed as follows: Senior President of the Audit Office of BELGIUM,\*\* Auditor-General of GHANA\* and Chairman of the Commission of Audit of the PHILIPPINES.\*\*\*

\* Term of office expires on 30 June 1985.

\*\* Term of office expires on 30 June 1986.

\*\*\* Term of office expires on 30 June 1987.

### 38/310. Confirmation of the appointment of three members of the Investments Committee

At its 71st plenary meeting, on 25 November 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>8</sup> confirmed the appointment by the Secretary-General of the following persons as members of the Investments Committee for a three-year term beginning on 1 January 1984:

Mr. David MONTAGU,

Mr. Yves OLTRAMARE,

Mr. Emmanuel Noi OMABOF.

As a result, the Investments Committee is composed as follows: Mr. Aloysio DE ANDRADE FARIA (*Brazil*),\*\* Mr. Jean GUYOT (*France*),\* Mr. George JOHNSTON (*United States of America*),\* Mr. Michiya MATSUKAWA (*Japan*),\* Mr. David MONTAGU (*United Kingdom of Great Britain and Northern Ireland*),\*\*\* Mr. Braj Kumar NEHRU (*India*),\*\* Mr. Yves OLTRAMARE (*Switzerland*),\*\*\* Mr. Emmanuel Noi OMABOF (*Ghana*)\*\*\* and Mr. Stanislaw RACZKOWSKI (*Poland*).\*\*

\* Term of office expires on 31 December 1984.

\*\* Term of office expires on 31 December 1985.

\*\*\* Term of office expires on 31 December 1986.

### 38/311. Appointment of two members of the United Nations Administrative Tribunal

At its 71st plenary meeting, on 25 November 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>9</sup> appointed the following persons as members of the United Nations Administrative Tribunal for a three-year term beginning on 1 January 1984:

Mr. Arnold Wilfred Geoffrey KEAN,

Mr. Herbert REIS.

As a result, the United Nations Administrative Tribunal is composed as follows: Mr. Endre USTOR (*Hungary*),\* President, Mr. Samarendranath SEN (*India*),\*\* Vice-President, Mr. Arnold Wilfred Geoffrey KEAN (*United Kingdom of Great Britain and Northern Ireland*),\*\*\* Vice-President, Mr. MUTUALE TSHIKANKIE (*Zaire*),\*\* Mr. Herbert REIS (*United States of America*),\*\*\* Mr. Luis María DE POSADAS MONTERO (*Uruguay*)\* and Mr. Roger PINTO (*France*).\*\*

\* Term of office expires on 31 December 1984.

\*\* Term of office expires on 31 December 1985.

\*\*\* Term of office expires on 31 December 1986.

<sup>7</sup> *Ibid.*, document A/38/463, para. 4.

<sup>8</sup> *Ibid.*, document A/38/464, para. 4.

<sup>9</sup> *Ibid.*, document A/38/465, para. 4.

### 38/312. Appointment of the United Nations Commissioner for Namibia

At its 79th plenary meeting, on 1 December 1983, the General Assembly, on the proposal of the Secretary-General,<sup>10</sup> appointed Mr. Brajesh Chandra MISHRA as United Nations Commissioner for Namibia for a further one-year term beginning on 1 January 1984.

### 38/313. Appointment of a member of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

At its 86th plenary meeting, on 7 December 1983, the General Assembly confirmed the nomination by its President of SWEDEN as a member of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, with effect from 1 January 1984, to fill the vacancy caused by the withdrawal of NORWAY.<sup>11</sup>

As a result, the Special Committee is composed of the following Member States: AFGHANISTAN, AUSTRALIA, BULGARIA, CHILE, CHINA, CONGO, CUBA, CZECHOSLOVAKIA, ETHIOPIA, FIJI, INDIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), IRAQ, IVORY COAST, MALI, SIERRA LEONE, SWEDEN, SYRIAN ARAB REPUBLIC, TRINIDAD AND TOBAGO, TUNISIA, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED REPUBLIC OF TANZANIA, VENEZUELA and YUGOSLAVIA.

### 38/314. Confirmation of the appointment of the Administrator of the United Nations Development Programme

At its 98th plenary meeting, on 15 December 1983, the General Assembly confirmed the appointment by the Secretary-General<sup>12</sup> of Mr. Bradford MORSE as Administrator of the United Nations Development Programme for a further four-year term beginning on 1 January 1984.

### 38/315. Confirmation of the appointment of the Executive Director of the United Nations Special Fund for Land-locked Developing Countries

At its 98th plenary meeting, on 15 December 1983, the General Assembly took note of the information contained in the note by the Secretary-General.<sup>13</sup>

### 38/316. Election of nineteen members of the Governing Council of the United Nations Environment Programme

At its 98th plenary meeting, on 15 December 1983, the General Assembly, in accordance with section I, paragraph 1, of its resolution 2997 (XXVII) of 15 December 1972, elected ALGERIA, AUSTRIA, BELGIUM, BRAZIL, GERMANY, FEDERAL REPUBLIC OF, HAITI, JAPAN, KUWAIT, MALAYSIA, NEPAL, NORWAY, RWANDA, the SUDAN, TOGO, the UKRAINIAN SOVIET SOCIALIST REPUBLIC, the UNION OF SOVIET SOCIALIST REPUBLICS, the UNITED STATES OF AMERICA, VENEZUELA and ZAIRE members of the Governing Council of the United Nations Environment Programme for a three-year term beginning on 1 January 1984 to fill the vacancies occurring on the expiration of the terms of office of BRAZIL, EGYPT, GERMANY, FEDERAL REPUBLIC OF, GHANA, HAITI, ICELAND, JAPAN, KENYA, the LIBYAN ARAB JAMAHIRIYA, MALAYSIA, the NETHERLANDS, PAKISTAN, SRI LANKA, SWITZERLAND, the UKRAINIAN SOVIET SOCIALIST REPUBLIC, the UNION OF SOVIET SOCIALIST REPUBLICS, the UNITED STATES OF AMERICA, VENEZUELA and ZAIRE.

As a result, the Governing Council of the United Nations Environment Programme is composed of the following States: AFGHANISTAN,\* ALGERIA,\*\* ARGENTINA,\*\* AUSTRALIA,\*\* AUSTRIA,\*\* BELGIUM,\*\* BOTSWANA,\* BRAZIL,\*\* BURUNDI,\* BYELORUSSIAN SOVIET SOCIALIST REPUBLIC,\* CAMEROON,\*\* CANADA,\* CHILE,\*\* CHINA,\*\* COLOMBIA,\* FINLAND,\*\* FRANCE,\*\* GERMANY, FEDERAL REPUBLIC OF,\*\* GREECE,\* GUINEA,\* HAITI,\*\* HUNGARY,\*\* INDIA,\* INDONESIA,\*\* ITALY,\*\* IVORY COAST,\*\* JAMAICA,\*\* JAPAN,\*\* KUWAIT,\*\* LESOTHO,\*\* MALAYSIA,\*\* MEXICO,\* MOROCCO,\* NEPAL,\*\* NIGERIA,\*\* NORWAY,\*\* OMAN,\* PAPUA NEW GUINEA,\*\* PERU,\*\* PHILIPPINES,\*\* POLAND,\* RWANDA,\*\* SAUDI ARABIA,\*\* SENEGAL,\* SPAIN,\* SUDAN,\*\* THAILAND,\* TOGO,\*\* UGANDA,\*\* UKRAINIAN SOVIET SOCIALIST REPUBLIC,\*\* UNION OF SOVIET

<sup>10</sup> A/38/614, para. 2.

<sup>11</sup> See A/38.468.

<sup>12</sup> A/38.613, para. 4.

<sup>13</sup> A/38.615.

SOCIALIST REPUBLICS,\*\* UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,\* UNITED REPUBLIC OF TANZANIA,\* UNITED STATES OF AMERICA\*\*\* URUGUAY,\* VENEZUELA,\*\* YUGOSLAVIA\*\* and ZAIRE.\*\*

- \* Term of office expires on 31 December 1984.
- \*\* Term of office expires on 31 December 1985.
- \*\*\* Term of office expires on 31 December 1986.

### 38/317. Election of twelve members of the World Food Council

At its 98th plenary meeting, on 15 December 1983, the General Assembly, on the basis of the nominations by the Economic and Social Council,<sup>14</sup> elected, in accordance with paragraph 8 of its resolution 3348 (XXIX) of 17 December 1974, ARGENTINA, BURUNDI, the CENTRAL AFRICAN REPUBLIC, CHILE, FINLAND, FRANCE, HUNGARY, IRAQ, ITALY, JAPAN, MOROCCO and PAKISTAN members of the World Food Council for a three-year term beginning on 1 January 1984 to fill the vacancies occurring on the expiration of the terms of office of ARGENTINA, EGYPT, FRANCE, HAITI, HUNGARY, INDONESIA, ITALY, JAPAN, NORWAY, PAKISTAN, RWANDA and ZAIRE.

As a result, the World Food Council is composed of the following States: ARGENTINA,\*\* AUSTRALIA,\*\* BANGLADESH,\*\* BOTSWANA,\* BURUNDI,\*\* CANADA,\* CENTRAL AFRICAN REPUBLIC,\*\* CHILE,\*\* CHINA,\* COLOMBIA,\* ECUADOR,\*\* ETHIOPIA,\*\* FINLAND,\*\* FRANCE,\*\* GAMBIA,\* GERMAN DEMOCRATIC REPUBLIC,\*\* GERMANY, FEDERAL REPUBLIC OF,\*\* GHANA,\*\* GREECE,\* HUNGARY,\*\* INDIA,\* IRAQ,\*\* ITALY,\*\* JAPAN,\*\* MEXICO,\* MOROCCO,\*\* NICARAGUA,\*\* NIGERIA,\*\* PAKISTAN,\*\* THAILAND,\* UNION OF SOVIET SOCIALIST REPUBLICS,\*\* UNITED ARAB EMIRATES,\*\* UNITED REPUBLIC OF TANZANIA,\* UNITED STATES OF AMERICA,\* VENEZUELA\*\* and YUGOSLAVIA.\*

- \* Term of office expires on 31 December 1984.
- \*\* Term of office expires on 31 December 1985.
- \*\*\* Term of office expires on 31 December 1986.

### 38/318. Election of seven members of the Committee for Programme and Co-ordination

At its 98th plenary meeting, on 15 December 1983, the General Assembly, on the basis of the nominations by the Economic and Social Council,<sup>15</sup> elected, in accordance with paragraph 7 of the annex to Council resolution 2008 (LX) of 14 May 1976, BRAZIL, CAMEROON, EGYPT, INDIA, INDONESIA, JAPAN and LIBERIA members of the Committee for Programme and Co-ordination for a three-year term beginning on 1 January 1984 to fill the vacancies occurring on the expiration of the terms of office of BRAZIL, CAMEROON, INDIA, JAPAN, MOROCCO, the PHILIPPINES and SENEGAL.

As a result, the Committee for Programme and Co-ordination is composed of the following Member States: ARGENTINA,\*\* BRAZIL,\*\* CAMEROON,\*\* CHILE,\*\* EGYPT,\*\* ETHIOPIA,\*\* FRANCE,\*\* GERMANY, FEDERAL REPUBLIC OF,\* INDIA,\*\* INDONESIA,\*\* JAPAN,\*\* LIBERIA,\*\* NETHERLANDS,\* NIGERIA,\*\* PAKISTAN,\* ROMANIA,\* TRINIDAD AND TOBAGO,\* UNION OF SOVIET SOCIALIST REPUBLICS,\*\* UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,\* UNITED STATES OF AMERICA\*\* and YUGOSLAVIA.\*

- \* Term of office expires on 31 December 1984.
- \*\* Term of office expires on 31 December 1985.
- \*\*\* Term of office expires on 31 December 1986.

### 38/319. Election of the members of the Board of Governors of the United Nations Special Fund for Land-locked Developing Countries

At its 98th plenary meeting, on 15 December 1983, the General Assembly decided to defer until its thirty-ninth session the election of the members of the Board of Governors of the United Nations Special Fund for Land-locked Developing Countries, since no candidate had been put forward by the regional groups.

### 38/320. Election of fifteen members of the Industrial Development Board

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, in accordance with section II, paragraphs 3 to 5, of its resolution 2152 (XXI) of 17 November 1966 and its resolution 36/181 of 17 December 1981, elected ARGENTINA, BRAZIL, DEMOCRATIC YEMEN, FRANCE, GHANA, HUNGARY, INDIA, JAPAN, MALAWI, the

<sup>14</sup> Economic and Social Council decisions 1983/161 of 25 May 1983 and 1983/179 of 28 June 1983. See also A/38/345, para. 2.

<sup>15</sup> Economic and Social Council decision 1983/161 of 25 May 1983. See also A/38/260, para. 4.

NETHERLANDS, NORWAY, PAKISTAN, ROMANIA, the UNITED ARAB EMIRATES and the UNITED STATES OF AMERICA members of the Industrial Development Board for a three-year term beginning on 1 January 1984 to fill the vacancies occurring on the expiration of the terms of office of BRAZIL, DENMARK, ECUADOR, FRANCE, the GERMAN DEMOCRATIC REPUBLIC, GUINEA, INDIA, JAPAN, MONGOLIA, the NETHERLANDS, PAKISTAN, ROMANIA, SRI LANKA, the UNITED STATES OF AMERICA and ZAMBIA.

As a result, the Industrial Development Board is composed of the following States: ARGENTINA,\*\*\* AUSTRALIA,\* AUSTRIA,\*\* BELGIUM,\*\* BRAZIL,\*\*\* BULGARIA,\*\* CHAD,\*\* CHILE,\*\* CHINA,\* DEMOCRATIC YEMEN,\*\*\* FINLAND,\*\* FRANCE,\*\*\* GERMANY, FEDERAL REPUBLIC OF,\* GHANA,\*\*\* HUNGARY,\*\*\* INDIA,\*\*\* INDONESIA,\*\* IRAQ,\* ITALY,\*\* JAPAN,\*\*\* LESOTHO,\* LIBERIA,\* LIBYAN ARAB JAMAHIRIYA,\*\* MALAWI,\*\*\* MALAYSIA,\* MEXICO,\* NETHERLANDS,\*\*\* NORWAY,\*\*\* PAKISTAN,\*\*\* PANAMA,\* PERU,\*\* ROMANIA,\*\*\* RWANDA,\*\* SIERRA LEONE,\* SPAIN,\* SUDAN,\*\* SWITZERLAND,\*\* TURKEY,\* UGANDA,\*\* UKRAINIAN SOVIET SOCIALIST REPUBLIC,\* UNION OF SOVIET SOCIALIST REPUBLICS,\*\* UNITED ARAB EMIRATES,\*\*\* UNITED KINGDOM OF GREAT BRITAIN and NORTHERN IRELAND,\* UNITED STATES OF AMERICA,\*\*\* and VENEZUELA.\*

\* Term of office expires on 31 December 1984

\*\* Term of office expires on 31 December 1985

\*\*\* Term of office expires on 31 December 1986

### 38/321. Appointment of two members of the International Civil Service Commission

At its 104th plenary meeting, on 20 December 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>16</sup> appointed the following persons as members of the International Civil Service Commission:

- (a) For a term beginning on 20 December 1983 and ending on 31 December 1985:  
Mr. Michel AUCHÈRE;
- (b) For a term beginning on 20 December 1983 and ending on 31 December 1984:  
Mr. Valery Vasilyevich TSYBUKOV.

As a result, the International Civil Service Commission is composed as follows: Mr. Richard M. AKWEI (*Ghana*),\*\*\* Chairman, Mr. Gastón DE PRAT GAY (*Argentina*),\*\*\* Vice-Chairman, Mr. Amjad ALI (*Pakistan*),\* Mr. Michael O. ANI (*Nigeria*),\* Mr. Michel AUCHÈRE (*France*),\*\* Mr. Moulaye El HASSEN (*Mauritania*),\*\*\* Mr. Ralph ENCKELI (*Finland*),\*\* Mr. Dayton W. HULL (*United States of America*),\*\*\* Mr. Masao KANAZAWA (*Japan*),\*\* Mr. Helmut KITSCHENBERG (*Federal Republic of Germany*),\*\* Mr. Jiří NOSEK (*Czechoslovakia*),\*\*\* Mr. António Fonseca PIMENTEL (*Brazil*),\*\* Mr. Valery Vasilyevich TSYBUKOV (*Union of Soviet Socialist Republics*),\* Mr. M. A. VELLODI (*India*)\* and Mrs. Halima WARZAZI (*Morocco*),\*

\* Term of office expires on 31 December 1984

\*\* Term of office expires on 31 December 1985

\*\*\* Term of office expires on 31 December 1986

<sup>16</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annex, agenda item 17, document A/38/466, para. 3.*

## B. OTHER DECISIONS

1. *Decisions adopted without reference to a Main Committee***38/401. Organization of the thirty-eighth session**

At its 3rd plenary meeting, on 23 September 1983, the General Assembly, on the recommendations of the General Committee as set forth in its first report,<sup>17</sup> adopted a number of provisions concerning the organization of the thirty-eighth session.

**38/402. Adoption of the agenda and allocation of agenda items**

At its 3rd, 4th, 21st, 28th, 32nd, 41st and 96th plenary meetings, on 23 September, 6, 11 and 13 October, 1 November and 14 December 1983, the General Assembly, on the recommendations of the General Committee as set forth in its first,<sup>18</sup> second,<sup>19</sup> third,<sup>20</sup> fourth,<sup>21</sup> fifth<sup>22</sup> and sixth<sup>23</sup> reports, adopted the agenda<sup>24</sup> and the allocation of agenda items<sup>25</sup> for the thirty-eighth session.

At its 3rd plenary meeting, on 23 September 1983, the General Assembly, on the recommendation of the General Committee,<sup>26</sup> decided to include in the provisional agenda of its thirty-ninth session the item entitled "Question of East Timor".

**38/403. Meetings of subsidiary organs during the thirty-eighth session**

At its 3rd and 11th plenary meetings on 23 and 29 September 1983, the General Assembly, on the recommendations of the Committee on Conferences<sup>27</sup> and of the General Committee,<sup>28</sup> decided that the following subsidiary organs should be authorized to hold meetings during the thirty-eighth session:

- (a) *Ad Hoc* Committee on the Indian Ocean;
- (b) Advisory Committee on the United Nations Educational and Training Programme for Southern Africa;
- (c) Committee on Relations with the Host Country;
- (d) Committee on the Exercise of the Inalienable Rights of the Palestinian People;
- (e) Group of Experts on the Supply of Oil and Oil Products to South Africa;
- (f) Intergovernmental Committee on Science and Technology for Development;
- (g) International Civil Service Commission;
- (h) Meeting of permanent representatives to the United Nations of the oil-producing and oil-exporting countries committed to the oil embargo against South Africa;
- (i) Special Committee against *Apartheid*;
- (j) Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(k) United Nations Council for Namibia;

(l) Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

**38/404. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations**

At its 39th plenary meeting, on 28 October 1983, the General Assembly took note of the note by the Secretary-General dated 22 September 1983.<sup>29</sup>

**38/406. Question of peace, stability and co-operation in South-East Asia**

At its 59th plenary meeting, on 16 November 1983, the General Assembly decided to include in the provisional agenda of its thirty-ninth session the item entitled "Question of peace, stability and co-operation in South-East Asia".

**38/410. Report of the Secretary-General on the work of the Organization**

At its 82nd plenary meeting, on 5 December 1983, the General Assembly took note of the report of the Secretary-General on the work of the Organization.<sup>30</sup>

**38/411. Report of the International Court of Justice**

At its 82nd plenary meeting, on 5 December 1983, the General Assembly took note of the report of the International Court of Justice.<sup>31</sup>

**38/420. Appointment and dispatch of a United Nations visiting mission to the Cocos (Keeling) Islands<sup>32</sup>**

At its 86th plenary meeting, on 7 December 1983, the General Assembly:

(a) Authorized the Secretary-General, on the basis of his consultations, to appoint and dispatch a United Nations mission to visit the Cocos (Keeling) Islands in 1984;

(b) Requested the Secretary-General to submit a report on the findings of the visiting mission to the General Assembly at its thirty-ninth session.

<sup>17</sup> *Ibid.*, agenda item 8, document A/38/250, paras. 2-18.

<sup>18</sup> *Ibid.*, document A/38/250, paras. 19-27.

<sup>19</sup> *Ibid.*, document A/38/250/Add.1, paras. 1 and 2.

<sup>20</sup> *Ibid.*, document A/38/250/Add.2, paras. 1 and 2.

<sup>21</sup> *Ibid.*, document A/38/250/Add.3, para. 2.

<sup>22</sup> *Ibid.*, document A/38/250/Add.4, para. 2.

<sup>23</sup> *Ibid.*, document A/38/250/Add.5, para. 2.

<sup>24</sup> For the printed text of the agenda (A/38/251 and Add.1-4), see *Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings*, vol. I, p. v. A numerical listing of agenda items also appears as annex III to the present volume.

<sup>25</sup> For the printed text of the allocation of agenda items (A/38/252 and Add.1-5), see sect. I.

<sup>26</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes*, agenda item 8, document A/38/250, para. 22.

<sup>27</sup> See A/38/414 and Add.1 and 2.

<sup>28</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes*, agenda item 8, document A/38/250, para. 17.

<sup>29</sup> *Ibid.*, agenda item 7, document A/38/438.

<sup>30</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 1* (A/38/1).

<sup>31</sup> *Ibid.*, *Supplement No. 4* (A/38/4).

<sup>32</sup> See also sect. X.B.5, decision 38/412.

**38/424. Report of the Security Council**

At its 99th plenary meeting, on 16 December 1983, the General Assembly took note of the report of the Security Council.<sup>33</sup>

**38/448. Launching of global negotiations on international economic co-operation for development****A**

At its 104th plenary meeting, on 20 December 1983, the General Assembly decided to keep the item open in order to allow for the continuation of informal consultations after the suspension of the session and to reconvene on short notice to consider any decisions or agreements that might emerge from the negotiations.

**B**

At its 105th plenary meeting, on 26 June 1984, the General Assembly decided that the item be maintained on the agenda of its thirty-eighth session and that contacts among delegations on this question be continued with a view to the convening of another round of informal meetings in the early part of September to consider appropriate action by the Assembly before the closure of the session.

**38/453. Report of the Economic and Social Council**

At its 104th plenary meeting, on 20 December 1983, the General Assembly took note of chapters I, VI (sections B and E), VIII and IX (sections A to C) of the report of the Economic and Social Council.<sup>34</sup>

**38/454. Question of equitable representation on and increase in the membership of the Security Council**

At its 104th plenary meeting, on 20 December 1983, the General Assembly decided to include in the provisional

<sup>33</sup> *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 2 (A/38/2)*.

agenda of its thirty-ninth session the item entitled "Question of equitable representation on and increase in the membership of the Security Council".

**38/455. Commemoration of the fortieth anniversary of the United Nations in 1985**

At its 104th plenary meeting, on 20 December 1983, the General Assembly:

(a) Decided to establish a Preparatory Committee for the Fortieth Anniversary of the United Nations, consisting of the members of the General Committee of the thirty-eighth session and open to the participation of all Member States on an equal basis;

(b) Entrusted the Preparatory Committee with the task of considering and recommending to the Assembly at its thirty-ninth session proposals for suitable activities in connection with the observance of the fortieth anniversary of the United Nations, on the understanding that its decisions would be taken by consensus.

**38/456. Suspension of the thirty-eighth session**

At its 104th plenary meeting, on 20 December 1983, the General Assembly decided to resume its thirty-eighth session, at a date to be announced, for the sole purpose of considering the following agenda items:

Item 15 (b): Election of one member of the Economic and Social Council;

Item 38: Launching of global negotiations on international economic co-operation for development;

Item 40: Observance of the quincentenary of the discovery of America;

Item 41: Question of Cyprus;

Item 42: Implementation of the resolutions of the United Nations;

Item 138: Consequences of the prolongation of the armed conflict between Iran and Iraq.

<sup>34</sup> *Ibid.*, Supplement No. 3 (A/38/3).

**2. Decisions adopted on the reports of the First Committee****38/421. Conclusion of a treaty on the prohibition of the use of force in outer space and from space against the Earth**

At its 97th plenary meeting, on 15 December 1983, the General Assembly took note of the report of the First Committee.<sup>35</sup>

**38/447. Draft statute of the United Nations Institute for Disarmament Research**

At its 103rd plenary meeting, on 20 December 1983, the General Assembly, on the recommendation of the First Committee,<sup>36</sup> decided that the draft statute of the United Nations Institute for Disarmament Research<sup>37</sup> should be returned to the Board of Trustees of the Institute with a request that the Board spell out the meaning of the provisions of the draft statute, so that the Assembly could take a decision on that draft statute at its thirty-ninth session.

<sup>35</sup> *Ibid.*, *Thirty-eighth Session, Annexes*, agenda items 43-63, 139, 141, 143 and 144, document A/38/647.

<sup>36</sup> *Ibid.*, document A/38/640, para. 39.

<sup>37</sup> A/38/467, annex IV.

### 3. Decisions adopted on the reports of the Special Political Committee

#### 38/407. Policies of *apartheid* of the Government of South Africa

At its 60th plenary meeting, on 17 November 1983, the General Assembly took note of the report of the Special Political Committee.<sup>38</sup>

#### 38/422. Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India

At its 98th plenary meeting, on 15 December 1983, the General Assembly, on the recommendation of the Special Political Committee,<sup>39</sup> decided to include in the provisional agenda of its thirty-ninth session the item entitled "Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India".

#### 38/423. Question of the composition of the relevant organs of the United Nations

At its 98th plenary meeting, on 15 December 1983, the General Assembly, on the recommendation of the Special Political Committee,<sup>40</sup> decided to include in the provisional agenda of its thirty-ninth session the item entitled "Question of the composition of the relevant organs of the United Nations".

<sup>38</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annex, agenda item 32, document A/38/550.*

<sup>39</sup> *Ibid.*, agenda item 76, document A/38/656, para. 4.

<sup>40</sup> *Ibid.*, agenda item 77, document A/38/603, para. 5.

### 4. Decisions adopted on the reports of the Second Committee

#### 38/428. Special session of the Commission on Transnational Corporations

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> decided to reconvene for one week early in 1984 the special session of the Commission on Transnational Corporations, open to the participation of all States, for the purpose of assessing the work on the draft code of conduct on transnational corporations to facilitate the negotiation of outstanding issues, on the understanding that, if the outcome of that assessment was favourable, the Commission, at the end of its reconvened special session, would recommend the Economic and Social Council, at its organizational session for 1984, to reconvene further the special session for the completion of the code.

#### 38/429. Rationalization of the work of the Second Committee

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee:<sup>41</sup>

(a) Endorsed the recommendations of the Economic and Social Council regarding the organization of the work of the Second Committee of the General Assembly, as contained in Council decision 1983/164 of 22 July 1983;

(b) Decided to adopt, beginning at its fortieth session, a biennial programme of work for the Second Committee, apart from its general debate;

(c) Requested the Economic and Social Council to consider and to recommend for consideration by the General Assembly at its thirty-ninth session a proposed biennial programme of work for the Second Committee, including the identification of questions for substantive consideration by the Assembly in alternate years, taking into account the biennial programme of work of the Council and the invitation already addressed to the Council in Assembly decision 37/442 of 20 December 1982;

(d) Recommended that the Intergovernmental Committee on Science and Technology for Development should consider adopting, on an experimental basis, a biennial cycle of meetings, in conformity with the biennial programme of work to be established for the Second Committee;

(e) Invited the Economic and Social Council, pursuant to its resolution 1768 (LIV) of 18 May 1973, to request its subsidiary bodies that currently meet on an annual basis to consider adopting, on an experimental basis, a biennial cycle of meetings;

(f) Requested the Trade and Development Board to consider scheduling its second regular session so that its reports might be available in all the working languages of the General Assembly in time for consideration by the Assembly;

(g) Decided that the work of the Second Committee should be organized in such a manner as to encourage

<sup>41</sup> *Ibid.*, agenda item 12, document A/38/701/Add.1, para. 29.

meaningful and better-focused discussions, leading to action-oriented decisions, and, in that context, that the general debate of the Second Committee should focus on specific major issues of international economic co-operation and development

**38/430. Role of the public sector in promoting the economic development of developing countries**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> took note of the report of the Secretary-General on the role of the public sector in promoting the economic development of developing countries.<sup>42</sup>

**38/431. Co-operation between the United Nations and the Agency for Cultural and Technical Co-operation**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> took note of the report of the Secretary-General on co-operation between the United Nations and the Agency for Cultural and Technical Co-operation.<sup>43</sup>

**38/432. Economic Commission for Africa: regional programming, operations, restructuring and decentralization issues**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> took note of the report of the Secretary-General on the implementation of Assembly resolution 37/214 of 20 December 1982<sup>44</sup> and of his intention to submit a further report on the subject to the Assembly at its thirty-ninth session through the Committee for Programme and Co-ordination and the Economic and Social Council, as called for in paragraph 3 of resolution 37/214.

**38/433. World Communications Year: Development of Communications Infrastructures**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> took note of the report of the Secretary-General of the International Telecommunication Union on World Communications Year: Development of Communications Infrastructures.<sup>45</sup>

**38/434. Addis Ababa Declaration on the Occasion of the Silver Jubilee Anniversary Celebration of the Economic Commission for Africa**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> decided to endorse Economic and Social Council resolution 1983/63 of 29 July 1983 and

called upon the international community to support the endeavour of the African Governments towards achieving the accelerated development and integration of their continent by making available to them the necessary moral, technical and financial assistance.

**38 435. Promotion of interregional economic and technical co-operation among developing countries**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> decided to endorse the recommendations made by the Economic and Social Council in its resolution 1983/66 of 29 July 1983.

**38 436. Development and international economic co-operation**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly took note of part I of the report of the Second Committee.<sup>46</sup>

**38 437. Specific action related to the particular needs and problems of land-locked developing countries**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> decided to refer to its thirty-ninth session for consideration the draft resolution entitled "Specific action related to the particular needs and problems of land-locked developing countries".<sup>48</sup>

**38/438. Protectionism and structural adjustment**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> decided to refer to its thirty-ninth session for consideration the draft resolution entitled "Protectionism and structural adjustment".<sup>49</sup>

**38/439. Report of the Secretary-General of the United Nations Conference on Trade and Development on the strengthening of the technological capacity of the developing countries in the development of their energy resources**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>41</sup> took note of the report of the Secretary-General of the United Nations Conference on Trade and Development on the strengthening of the technological capacity of the developing countries in the development of their energy resources<sup>50</sup> prepared pursuant to Assembly resolution 37/251 of 21 December 1982.

<sup>42</sup> A/38/176-E/1983/50.

<sup>43</sup> A/38/236-E/1983/75.

<sup>44</sup> A/38/505 and Corr.1 and Add.1.

<sup>45</sup> A/38/374-E/1983/95, annex.

<sup>46</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 78, document A/38/702.*

<sup>47</sup> *Ibid.*, document A/38/702 Add.2, para. 24.

<sup>48</sup> See A/C.2/38/L.2. For the printed text of the draft resolution, see *Official Records of the General Assembly, Thirty-seventh Session, Annexes, agenda item 71, document A/37/680 Add.2, para. 7.*

<sup>49</sup> See A/C.2/38/L.3. For the printed text of the draft resolution, see *Official Records of the General Assembly, Thirty-sixth Session, Annexes, agenda item 69, document A/36/694 Add.3, para. 41.*

<sup>50</sup> A/38/363.



**38/440. Report of the Intergovernmental Committee on Science and Technology for Development**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>51</sup> took note of the report of the Intergovernmental Committee on Science and Technology for Development on its fifth session.<sup>52</sup>

**38/441. Report of the High-level Committee on the Review of Technical Co-operation among Developing Countries**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>53</sup> took note of the report of the High-level Committee on the Review of Technical Co-operation among Developing Countries.<sup>54</sup>

**38/442. Environment**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee:<sup>55</sup>

(a) Took note of the note by the Secretary-General<sup>56</sup> transmitting the report of the Executive Director of the United Nations Environment Programme on international conventions and protocols in the field of the environment;

(b) Took note of the report of the Secretary-General on interrelationships between resources, environment, people and development<sup>57</sup> and decided to keep the matter under review.

<sup>51</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes*, agenda item 78, document A/38/702/Add.4, para. 8.

<sup>52</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 37* (A 38/37), part two.

<sup>53</sup> *Ibid.*, *Thirty-eighth Session, Annexes*, agenda item 78, document A 38/702/Add.6, para. 7.

<sup>54</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 39* (A 38/39).

<sup>55</sup> *Ibid.*, *Thirty-eighth Session, Annexes*, agenda item 78, document A 38/702/Add.7, para. 27.

**38/443. Effective mobilization and integration of women in development; United Nations Special Fund**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly took note of the report of the Second Committee.<sup>58</sup>

**38/444. Report of the Executive Director of the United Nations Fund for Population Activities on the United Nations Population Award**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>59</sup> took note of the report of the Executive Director of the United Nations Fund for Population Activities on the United Nations Population Award for 1983.<sup>60</sup>

**38/445. Report of the Secretary-General on United Nations technical co-operation activities**

At its 102nd plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Second Committee,<sup>61</sup> took note of the report of the Secretary-General on United Nations technical co-operation activities.<sup>61</sup>

<sup>56</sup> A 38/305.

<sup>57</sup> A 38/504 and Corr.1.

<sup>58</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes*, agenda item 78, document A 38/702/Add.9.

<sup>59</sup> *Ibid.*, agenda item 79, document A 38/703, para. 32.

<sup>60</sup> A 38/410, annex.

<sup>61</sup> DP 1983/18 and Add.1 and 2.

**5. Decisions adopted on the reports of the Fourth Committee****38/405. Question of the Falkland Islands (Malvinas)**

At its 57th plenary meeting, on 15 November 1983, the General Assembly took note of the report of the Fourth Committee.<sup>62</sup>

**38/412. Question of the Cocos (Keeling) Islands<sup>63</sup>**

At its 86th plenary meeting, on 7 December 1983, the General Assembly, on the recommendation of the Fourth Committee,<sup>64</sup> adopted the following text as representing the consensus of the members of the Assembly:

“The General Assembly, having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>65</sup> and having heard the statement of the representative of Australia regarding the Cocos (Keeling) Islands,<sup>66</sup> notes with appreciation

the continuing co-operation of the Government of Australia, as the administering Power, with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960, in respect of the Territory. The Assembly reaffirms that it is the responsibility of the administering Power to create conditions under which the people of the Cocos (Keeling) Islands will be able to determine freely their own future in conformity with resolution 1514 (XV) as well as other relevant resolutions of the Assembly. In this respect, the Assembly notes the positive and continuing commitment of the administering Power to the political, social and economic advancement of the people of the Territory to enable them to exercise fully their inalienable rights as quickly as possible. It notes in particular that the administering Power has directly discussed with the representatives of the Cocos (Keeling) community the question of the holding of an act of self-determination to determine their future

<sup>62</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes*, agenda item 25, document A/38/584.

<sup>63</sup> See also sect. X.B.1, decision 38/420.

<sup>64</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes*, agenda item 18, document A 38/612, para. 27.

<sup>65</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 23* (A 38/23), chaps. III and XII.

<sup>66</sup> *Ibid.*, *Thirty-eighth Session, Fourth Committee*, 15th meeting, paras. 19-23.

status. The Assembly welcomes the continuing willingness of the administering Power to receive visiting missions in the Cocos (Keeling) Islands and, in this regard, reaffirms that the need to send further missions as appropriate should be kept under review.”

### 38/413. Question of Tokelau

At its 86th plenary meeting, on 7 December 1983, the General Assembly, on the recommendation of the Fourth Committee,<sup>64</sup> adopted the following text as representing the consensus of the members of the Assembly:

“The General Assembly, having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>67</sup> and having heard the statement of the representative of New Zealand with regard to Tokelau,<sup>68</sup> notes with appreciation the willingness of the administering Power to maintain its close cooperation with the United Nations in the exercise of its responsibility towards Tokelau. The Assembly reaffirms the inalienable right of the people of Tokelau to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960, and reaffirms further that it is the responsibility of the administering Power to keep the people of Tokelau fully informed of this right. In this regard, the Assembly notes that the people of the Territory have expressed the view that, at the present time, they do not wish to review the nature of the existing relationship between Tokelau and New Zealand. The Assembly welcomes the assurances of the administering Power that it will continue to be guided solely by the wishes of the people of Tokelau as to the future status of the Territory. The Assembly notes that the administering Power has assured the people of Tokelau of its continuing assistance in the event that they should desire to change their status. The Assembly calls upon the administering Power to continue its programme of political education within the context of its efforts to ensure the preservation of the identity and cultural heritage of the people of Tokelau. The Assembly recognizes that the economic development of Tokelau is an important element in the process of self-determination. The Assembly notes the continuing efforts of the administering Power to promote the economic development of the Territory and the measures it has taken to safeguard and guarantee the rights of the people of Tokelau to all their natural resources and the benefits derived therefrom. The Assembly is of the opinion that the administering Power should continue to expand its programme of budgetary support and development aid to the Territory. The Assembly notes with appreciation the continuing efforts of the administering Power to make improvements in the fields of public health, public works and education. The Assembly reiterates its expression of appreciation to the specialized agencies and other organizations of the United Nations system, as well as to the regional organizations, for their assistance to Tokelau and calls upon those bodies to continue providing assistance to the Territory. Mindful of the effective means provided by United

Nations visiting missions to assess the situation in the Territories, the Assembly is of the opinion that the possibility of sending another visiting mission to the Territory at an appropriate time should be kept under review, taking into account, in particular, the wishes of the people of Tokelau. The Assembly requests the Special Committee to continue to examine this question at its next session, including the possible dispatch of a further visiting mission to Tokelau, at an appropriate time and in consultation with the administering Power, and to report thereon to the Assembly at its thirty-ninth session.”

### 38/414. Question of Pitcairn

At its 86th plenary meeting, on 7 December 1983, the General Assembly, on the recommendation of the Fourth Committee,<sup>64</sup> adopted the following text as representing the consensus of the members of the Assembly:

“The General Assembly, having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>69</sup> takes note of the statement of the representative of the United Kingdom of Great Britain and Northern Ireland<sup>70</sup> affirming the policy of his Government to encourage as much local initiative and enterprise as possible, so that the people of Pitcairn can make the most of their own way of life. The Assembly takes note of the willingness of the administering Power to discuss any change of constitutional status with the people of the Territory whenever the latter so desire. It notes that the present size of the population continues to raise the question of the capacity of the islanders to maintain the essential services such as education and medical welfare and their ability to launch long boats on which, in the absence of adequate dock facilities, trade with passing ships depends. In that connection, the Assembly calls once again upon the administering Power to continue to take the necessary measures to safeguard the interests of the people of Pitcairn. The Assembly requests the Special Committee to continue to examine the question at its next session and to report thereon to the Assembly at its thirty-ninth session.”

### 38/415. Question of Gibraltar

At its 86th plenary meeting, on 7 December 1983, the General Assembly, on the recommendation of the Fourth Committee,<sup>64</sup> adopted the following text as representing the consensus of the members of the Assembly:

“The General Assembly, noting that the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland signed a Declaration on 10 April 1980 at Lisbon,<sup>71</sup> intending, in accordance with the relevant resolutions of the United Nations, to resolve the problem of Gibraltar, agreeing to that end to start negotiations aimed at overcoming all the differences between them on Gibraltar, agreeing also to the re-establishment of direct communications in the region, the Government of Spain having decided to suspend the application of the measures at present in force,

<sup>67</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 22 (A/38/23), chaps. III and XIII.

<sup>68</sup> *Ibid.*, Thirty-eighth Session, Fourth Committee, 14th meeting, paras. 37-42.

<sup>69</sup> *Ibid.*, Thirty-eighth Session, Supplement No. 22 (A/38/23), chaps. II and XIV.

<sup>70</sup> *Ibid.*, Thirty-eighth Session, Fourth Committee, 11th meeting, paras. 9-10.

<sup>71</sup> See A/AC.109/C.3 and Corr.1, para. 13.

and both Governments agreeing to base future co-operation on reciprocity and full equality of rights, noting that both Governments agreed on 8 January 1982 in London to fix the date of 20 April 1982 for the full implementation of the Lisbon Declaration, including the initiation of negotiations and the simultaneous re-establishment of direct communications in the region, and noting that, when it was subsequently agreed to postpone these arrangements, both Governments expressed their determination to keep alive the process initiated by the Lisbon Declaration of April 1980 and their intention to set a new date for its implementation, urges both Governments to make possible the initiation of the negotiations as envisaged in the consensus adopted by the Assembly on 14 December 1973,<sup>72</sup> with the object of reaching a lasting solution to the problem of Gibraltar in the light of the relevant resolutions of the Assembly and in the spirit of the Charter of the United Nations.”

### 38/416. Question of St. Helena

At its 86th plenary meeting, on 7 December 1983, the General Assembly, on the recommendation of the Fourth Committee,<sup>73</sup> having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>74</sup> and having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland,<sup>75</sup> as the administering Power, reaffirmed the inalienable right of the people of St. Helena to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960. The Assembly noted the commitment of the Government of the United Kingdom to respect the wishes of the people of the Territory and, in that regard, urged the administering Power, in consultation with the freely elected representatives of the people of St. Helena, to continue to take all necessary steps to ensure the speedy implementation of the Declaration in respect of that Territory. The Assembly expressed the hope that the administering Power would continue to implement infrastructure and community development projects aimed at improving the general welfare of the community and to encourage local initiative and enterprise, particularly in the areas of forestry, fisheries and the handicrafts industry. The Assembly reaffirmed that continued development assistance from the administering Power, together with any assistance that the international community might be able to provide, constituted an important means of developing the economic potential of the Territory and of enhancing the capacity of its people to realize fully the goals set forth in the relevant provisions of the Charter of the United Nations for the improvement of economic conditions in the Territory. The Assembly noted with concern the presence of a military base on the dependency of Ascension and, in that regard, recalled all the relevant United Nations resolutions and decisions concerning military bases and installations in colonial and Non-Self-Governing Territories. Noting the positive attitude of the administering Power with respect to the question of receiving United Nations visiting missions in the Territo-

ries under its administration, the Assembly considered that the possibility of dispatching such a mission to St. Helena at an appropriate time should be kept under review. The Assembly requested the Special Committee to continue to examine the question at its next session, including the possible dispatch of a visiting mission to St. Helena, at an appropriate time and in consultation with the administering Power, and to report thereon to the Assembly at its thirty-ninth session.

### 38/417. Question of Brunei

At its 86th plenary meeting, on 7 December 1983, the General Assembly, on the recommendation of the Fourth Committee,<sup>76</sup> took note with satisfaction of the imminent accession of Brunei to independence and extended to the Government and people of Brunei its warm congratulations on their achievement and its best wishes for peace, happiness and prosperity in the years ahead. In welcoming the declared intention of the Government, upon attaining independence, to apply for membership in the United Nations, the Assembly appealed to the United Nations and the organizations of the United Nations system to render all possible assistance to the emerging nation for the consolidation of its independence.

### 38/418. Question of Anguilla

At its 86th plenary meeting, on 7 December 1983, the General Assembly, on the recommendation of the Fourth Committee,<sup>77</sup> decided to defer until its thirty-ninth session consideration of the question of Anguilla and requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to keep the situation in the Territory under review.

### 38/419. Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

At its 86th plenary meeting, on 7 December 1983, the General Assembly, on the recommendation of the Fourth Committee,<sup>78</sup> adopted the following text:

“1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the Special Committee’s agenda entitled ‘Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples’,<sup>79</sup> and recalling its decision 37/420 of 23 November 1982 on this subject, deplores the fact that the colonial Powers concerned have taken no steps to implement the requests repeatedly addressed to them by the Assembly, most recently in paragraph 10 of its resolution 37/35 of

<sup>72</sup> *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 30 (A/9030)*, p. 111, agenda item 23.

<sup>73</sup> *Ibid.*, *Thirty-eighth Session, Annexes*, agenda item 48, document A/38/612, para. 28.

<sup>74</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 23 (A/38/23)*, chaps. III and XV.

<sup>75</sup> *Ibid.*, *Thirty-eighth Session, Annexes*, agenda item 103, document A/38/682, para. 30.

<sup>76</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 23 (A/38/23)*, chap. IV.

23 November 1982, to withdraw immediately and unconditionally their military bases and installations from colonial Territories and to refrain from establishing new ones.

“2. The General Assembly, in reaffirming the inalienable right of the peoples of all colonial and dependent Territories to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, reiterates its conviction that military activities and arrangements in the Territories concerned constitute, in a great number of instances, a serious impediment to the full and speedy implementation of the Declaration with respect to those Territories.

“3. The General Assembly deplores the fact that South Africa and the colonial Powers continue to engage in activities and dispositions of a military character and to establish and maintain bases and other military installations in Namibia and other colonial Territories in violation of the purposes and principles of the Charter of the United Nations and of Assembly resolution 1514 (XV).

“4. The General Assembly condemns all military activities and arrangements in colonial Territories which deny the peoples concerned their right to self-determination and independence.

“5. The General Assembly notes that, in southern Africa in general and in and around Namibia in particular, an extremely serious situation continues to prevail as a result of South Africa's continued illegal occupation of the Territory. The illegal occupying régime has resorted to desperate measures in order to suppress by force the legitimate aspirations of the people and to maintain its control over the Territory. In its escalating war against the people of Namibia and their national liberation movement, the South West Africa People's Organization, struggling for freedom and independence, the régime has repeatedly committed acts of armed aggression against the neighbouring independent African countries, particularly Angola and Zambia, which have caused extensive loss of human life and destruction of the economic infrastructure.

“6. The General Assembly, noting that in Namibia the South African Government has continued to expand its network of military bases and carried out a massive build-up of its military forces, condemns the continuing co-operation of certain Western States and other States with South Africa in supplying it with arms and military equipment as well as technology, including technology and equipment in the nuclear field capable of being utilized for military purposes. The Assembly condemns South Africa for its massive military build-up in Namibia, its introduction of compulsory military service for Namibians, its recruitment and training of Namibians for tribal armies and its recruitment of mercenaries and other foreign agents in order to carry out its policies of internal repression and its military attacks against independent African States. In this connection, the Assembly calls upon all States to co-operate in taking effective measures to prevent the recruitment, training and transit of mercenaries for service in Namibia. The Assembly is particularly mindful in that regard of the relevant resolutions of the Organization of African Unity, the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-

Aligned Countries, held at New Delhi from 7 to 12 March 1983,<sup>77</sup> and the Declaration adopted at the International Conference in Solidarity with the Front-line States, held at Lisbon from 25 to 27 March 1983.

“7. The General Assembly, accordingly, demands the immediate cessation of the war of oppression waged by the racist minority régime against the people of Namibia and their national liberation movement, as well as the urgent dismantling of all military bases in the Territory. Reaffirming the legitimacy of the struggle of the people of Namibia to achieve their freedom and independence, the Assembly appeals to all States to render sustained and increased moral and political support, as well as financial, military and other material assistance, to the South West Africa People's Organization to enable it to intensify its struggle for the liberation of Namibia.

“8. The General Assembly condemns the continued military collaboration and support which certain Western States and other States render to the Government of South Africa and calls upon all States to cease such collaboration with and support of that Government, particularly the sale of weapons and other matériel, which increases South Africa's capacity to wage wars against neighbouring African States. In particular, the Assembly calls upon all Governments to comply strictly with the provisions of Security Council resolution 418 (1977) of 4 November 1977, by which the Council, acting under Chapter VII of the Charter, decided to apply specific sanctions against South Africa. In this connection, the Assembly draws particular attention to the relevant provisions of its resolution 37/233 of 20 December 1982, the Paris Declaration on Namibia and the Programme of Action on Namibia adopted at the International Conference in Support of the Struggle of the Namibian People for Independence<sup>78</sup> and the Declaration adopted at the International Conference in Solidarity with the Front-line States.

“9. The General Assembly considers that the acquisition of nuclear weapons capability by the racist régime of South Africa, with its record of violence and aggression, constitutes a further effort on its part to terrorize and intimidate independent States in the region into submission while also posing a danger to all mankind. The continuing assistance rendered to the South African régime by certain Western States and other States in the military and nuclear fields belies their stated opposition to the racist practice of the South African régime and makes them willing partners of its hegemonistic and criminal policies. The Assembly accordingly condemns the continued nuclear co-operation by certain Western States and other States with South Africa. It calls upon the States concerned to end all such co-operation and, in particular, to halt the supply to South Africa of equipment, technology, nuclear materials and related training, which increases its nuclear capability.

“10. The General Assembly, noting that the militarization of Namibia has led to the forced conscription of Namibians, to a greatly intensified flow of refugees and to a tragic disorganization of the family life of the Namibian people, strongly condemns the forcible and wholesale displacement of Namibians from their homes for military and political purposes and the introduction of compulsory military service for Namibians and declares that all measures by the illegal occupation régime to enforce military conscription in Namibia are

<sup>77</sup> A/38/432-S/15675 and Corr. 1 and 2, annex I.

<sup>78</sup> See *Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 28-29 April 1983* (A/CONF.120/13), paras. 165-195 and 220-247.

null and void. In this connection, the Assembly urges all Governments, the specialized agencies and other inter-governmental organizations to provide increased material assistance to the thousands of refugees who have been forced by the *apartheid* régime's oppressive policies in Namibia and South Africa to flee into the neighbouring front-line States.

"11. The General Assembly recalls its resolution ES-8/2 of 14 September 1981, by which it strongly urged States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it politically, economically, militarily and culturally.

"12. The General Assembly strongly deprecates the establishment and maintenance by colonial Powers and their allies of military bases and other installations in the colonial Territories under their administration which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and which are incompatible with the purposes and principles of the Charter of the United Nations and of Assembly resolution 1514 (XV).

"13. The General Assembly reiterates its condemnation of all military activities and arrangements by colonial Powers in Territories under their administration which are detrimental to the interests and rights of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the colonial Powers concerned to

terminate such activities and eliminate such military bases in compliance with its relevant resolutions and in particular with paragraph 9 of the annex to its resolution 35 118 of 11 December 1980, containing the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

"14. The General Assembly deprecates the continued alienation of land in colonial Territories for military installations. While it has been argued that the servicing of such installations creates employment, nevertheless, the large-scale utilization of local economic and manpower resources for this purpose diverts resources which could be more beneficially utilized in promoting the economic development of the Territories concerned and is thus contrary to the interests of their populations.

"15. The General Assembly requests the Secretary-General to continue, through the Department of Public Information of the Secretariat, an intensified campaign of publicity with a view to informing world public opinion of the facts concerning the military activities and arrangements in colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV).

"16. The General Assembly requests the Special Committee to continue its consideration of the item and to report thereon to the Assembly at its thirty-ninth session."

#### 6. Decisions adopted on the reports of the Fifth Committee

#### 38/408. Additional terms of reference governing the audit of the United Nations: amendments to the annex to the Financial Regulations of the United Nations

At its 71st plenary meeting, on 25 November 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>79</sup> decided to amend paragraphs 5, 6 and 8 of the annex to the Financial Regulations of the United Nations, entitled "Additional terms of reference governing the audit of the United Nations", to read as follows:

##### Paragraph 5

"5. The Board of Auditors (or such of its officers as it may designate) shall express and sign an opinion on the financial statements which shall read as follows:

"We have examined the following appended financial statements, numbered ... to ..., properly identified, and relevant schedules of (name of the body) for the financial period ended 31 December 19 ... Our examination included a general review of the accounting procedures and such tests of the accounting records and other supporting evidence as we considered necessary in the circumstances."

and which shall state, as appropriate, whether:

"(a) The financial statements present fairly the financial position as at the end of the period and the results of its operations for the period then ended;

"(b) The financial statements were prepared in accordance with the stated accounting principles;

"(c) The accounting principles were applied on a basis consistent with that of the preceding financial period;

"(d) Transactions were in accordance with the Financial Regulations and legislative authority."

##### Paragraph 6

"6. The report of the Board of Auditors to the General Assembly on the financial operations of the period should mention:

"..."

##### Paragraph 8

"8. Whenever the scope of audit of the Board of Auditors is restricted, or whenever the Board is unable to obtain sufficient evidence, it shall refer to the matter in its opinion and report, making clear in its report the reasons for its comments and the effect on the financial position and the financial transactions as recorded," and to add a new paragraph 10, as follows:

"10. The Board is not required to mention any matter referred to in the foregoing that, in its opinion, is insignificant in all respects."

#### 38/409. Feasibility of establishing a single administrative tribunal

At its 71st plenary meeting, on 25 November 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>80</sup>

<sup>79</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 107, document A/38/492, para. 12.*

<sup>80</sup> *Ibid.*, agenda item 112, document A/38/587, para. 1.

(a) Took note of the report of the Secretary-General on the feasibility of establishing a single administrative tribunal;<sup>81</sup>

(b) Requested the Secretary-General to accelerate the necessary consultations and to report thereon to the Assembly at its thirty-ninth session.

### 38/446. Long-term financing arrangements for the United Nations Institute for Training and Research

At its 102nd plenary meeting, on 19 December 1983, the General Assembly on the recommendation of the Fifth Committee,<sup>82</sup> endorsed the recommendation of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 7 of its report.<sup>83</sup>

### 38/449. Report of the Economic and Social Council

At its 104th plenary meeting, on 20 December 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>84</sup> took note of chapters III (section D), IV (sections A to E and G to O), VI (section D) and IX (section H) of the report of the Economic and Social Council.<sup>85</sup>

### 38/450. Amendments to the Staff Rules

At its 104th plenary meeting, on 20 December 1983, the General Assembly, on the recommendation of the Fifth Committee:<sup>86</sup>

(a) Took note of the report of the Secretary-General on the amendments to the Staff Rules;<sup>87</sup>

(b) Requested the Secretary-General to review the text of staff rules 108.1, subparagraph (d), and 108.2, subparagraph (c), in the light of the amendments submitted by the delegation of the Union of Soviet Socialist Republics.<sup>88</sup>

<sup>81</sup> A/C.5/38/26.

<sup>82</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 109, document A/38/754, para. 4.*

<sup>83</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 7A (A/38/7 Add.1-23), document A/38/7/Add.20.*

<sup>84</sup> *Ibid.*, *Thirty-eighth Session, Annexes, agenda item 13, document A/38/747, para. 4.*

<sup>85</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 3 (A/38/3).*

<sup>86</sup> *Ibid.*, *Thirty-eighth Session, Annexes, agenda item 116, document A/38/744, para. 19.*

<sup>87</sup> A/C.5/38/10 and Corr.1.

<sup>88</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 116, document A/38/744, para. 15.*

### 38/451. Statute of the International Civil Service Commission

At its 104th plenary meeting, on 20 December 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>89</sup> requested the Secretary-General to consult with the organizations members of the common system of the United Nations and the International Civil Service Commission, bringing to their attention, *inter alia*, the discussions in the Fifth Committee on the draft decision<sup>90</sup> annexed to the present decision and to report on the results of those consultations to the Assembly at its thirty-ninth session.

#### ANNEX

#### Draft decision on the statute of the International Civil Service Commission<sup>91</sup>

The General Assembly decides to amend article 6, paragraph 2, of the statute of the International Civil Service Commission<sup>92</sup> to read:

"2. No member of the Commission may participate in the deliberations of any organ of the organizations on any matter within the competence of the Commission unless the Commission has requested him or her to do so as its representative; nor shall a member of the Commission serve as an official or consultant of any such organization during his or her term of office."

### 38/452. Investments of the United Nations Joint Staff Pension Fund<sup>93</sup>

At its 104th plenary meeting, on 20 December 1983, the General Assembly, on the recommendation of the Fifth Committee,<sup>94</sup> took note of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund.<sup>95</sup>

<sup>89</sup> *Ibid.*, agenda item 117, document A/38/745, para. 18.

<sup>90</sup> *Ibid.*, *Thirty-eighth Session, Fifth Committee, 62nd, 65th and 66th meetings.*

<sup>91</sup> Originally published under the symbol A/C.5/38/L.23 (see *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 117, document A/38/745, para. 5.*)

<sup>92</sup> Resolution 3357 (XXIX), annex.

<sup>93</sup> See also sect. VIII, resolution 38/233.

<sup>94</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 118, document A/38/746, para. 10.*

<sup>95</sup> A/C.5/38/19.

## 7. Decisions adopted on the reports of the Sixth Committee

### 38/425. Review of the multilateral treaty-making process

At its 101st plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Sixth Committee:<sup>96</sup>

(a) Took note with appreciation of the report of the Working Group on the Review of the Multilateral Treaty-Making Process,<sup>97</sup> established in accordance with General Assembly resolution 36/112 of 10 December 1981 to determine whether the current methods of multilateral

treaty-making were as efficient, economical and effective as they could be to meet the needs of the Member States;

(b) Decided to establish at its thirty-ninth session an open-ended working group of the Sixth Committee with the aim of completing the work on the review of the multilateral treaty-making process;

(c) Requested the Secretary-General to circulate to Member States the report of the Working Group on the Review of the Multilateral Treaty-Making Process<sup>97</sup> established at the thirty-seventh session and reconvened at the thirty-eighth session;

<sup>96</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 130, document A/38/670, para. 7.*

<sup>97</sup> A/C.6/38/L.28.

(d) Decided to include in the provisional agenda of its thirty-ninth session the item entitled "Review of the multilateral treaty-making process".

**38/426. Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment**

At its 101st plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Sixth Committee:<sup>98</sup>

(a) Took note with appreciation of the report of the Working Group on the Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,<sup>99</sup> established in accordance with General Assembly decision 37/427 of 16 December 1982 to elaborate a final version of the draft Body of Principles, a task which it had not been able to conclude;

(b) Decided to establish at its thirty-ninth session an open-ended working group of the Sixth Committee with a view to expediting the finalization of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment;

(c) Requested the Secretary-General to circulate to Member States the report of the open-ended Working Group established at the thirty-eighth session;<sup>99</sup>

<sup>98</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 136, document A/38/676, para. 9.*

<sup>99</sup> A/C.6/38/L.8.

(d) Decided to include in the provisional agenda of its thirty-ninth session the item entitled "Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment".

**38/427. Draft standard rules of procedure for United Nations conferences**

At its 101st plenary meeting, on 19 December 1983, the General Assembly, on the recommendation of the Sixth Committee:<sup>100</sup>

(a) Decided to defer to its thirty-ninth session consideration of the report of the Secretary-General on draft standard rules of procedure for United Nations conferences;<sup>101</sup>

(b) Again invited Governments and the international organizations concerned to communicate to the Secretary-General, by 1 May 1984, their observations on the above-mentioned report;

(c) Requested the Secretary-General to submit to the General Assembly at its thirty-ninth session a report on draft standard rules of procedure for United Nations conferences.

<sup>100</sup> *Official Records of the General Assembly, Thirty-eighth Session, Annexes, agenda item 137, document A/38/677, para. 5.*

<sup>101</sup> A/38/298 and Add.1 and 2.





## ANNEX I

## COMPOSITION OF ORGANS

This list provides a reference to the composition of the Security Council, the Economic and Social Council, the Trusteeship Council and the International Court of Justice, and of organs established by the General Assembly. The composition of an organ will be found in the volume of resolutions and decisions for the session indicated on the page of that volume given in the right-hand column.

<i>Organ</i>	<i>Session</i>	<i>Page</i>
<i>Ad Hoc</i> Committee on International Terrorism .....	27	119
<i>Ad Hoc</i> Committee on the Drafting of an International Convention against <i>Apartheid</i> in Sports .....	31, vol. I	19
<i>Ad Hoc</i> Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries .....	37	283
<i>Ad Hoc</i> Committee on the Implementation of the Collective Security Provisions of the Charter of the United Nations .....	38	92
<i>Ad Hoc</i> Committee on the Indian Ocean <sup>a</sup>		
<i>Ad Hoc</i> Committee on the World Disarmament Conference .....	28, vol. I	21
Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (members appointed by the General Assembly) .....	27	29
Advisory Committee for the International Year of Disabled Persons .....	33	157
Advisory Committee for the International Youth Year .....	35	278
Advisory Committee on Administrative and Budgetary Questions .....	38	281
Advisory Committee on the United Nations Educational and Training Programme for Southern Africa .....	34	200
Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law <sup>b</sup> .....	34	243
Board of Auditors .....	38	283
Board of Governors of the United Nations Special Fund <sup>c</sup> .....	32	228
Board of Trustees of the United Nations Voluntary Fund for Victims of Torture .....	36	185
Committee for Programme and Co-ordination .....	38	285
Committee for the United Nations Population Award .....	36	134
Committee of Governmental Experts to Evaluate the Present Structure of the Secretariat in the Administrative, Finance and Personnel Areas <sup>d</sup> .....	35	239
Committee of Trustees of the United Nations Trust Fund for South Africa ..	20	18
Committee on Applications for Review of Administrative Tribunal Judgments <sup>e</sup> .....	10	31
Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter .....	10	49
Committee on Conferences .....	38	240
Committee on Contributions .....	38	282

<sup>a</sup> By a communication dated 11 May 1983 (see A/37/811), the President of the General Assembly informed the Secretary-General that, on the recommendation of the *Ad Hoc* Committee on the Indian Ocean, he had appointed the UNITED ARAB EMIRATES as a member of the *Ad Hoc* Committee. As a result the *Ad Hoc* Committee is composed of the following Member States: AUSTRALIA, BANGLADESH, BULGARIA, CANADA, CHINA, DEMOCRATIC YEMEN, DJIBOUTI, EGYPT, ETHIOPIA, FRANCE, GERMAN DEMOCRATIC REPUBLIC, GERMANY, FEDERAL REPUBLIC OF, GREECE, INDIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), IRAQ, ITALY, JAPAN, KENYA, LIBERIA, MADAGASCAR, MALAYSIA, MALDIVES, MAURITIUS, MOZAMBIQUE, NETHERLANDS, NORWAY, OMAN, PAKISTAN, PANAMA, POLAND, ROMANIA, SEYCHELLES, SINGAPORE, SOMALIA, SRI LANKA, SUDAN, THAILAND, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED ARAB EMIRATES, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED REPUBLIC OF TANZANIA, UNITED STATES OF AMERICA, YEMEN, YUGOSLAVIA and ZAMBIA.

<sup>b</sup> See also sect. IX, footnote 14.

<sup>c</sup> See also decisions 36/424 and 38/443.

<sup>d</sup> See also *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 44 (A/37/44)*, paras. 6 and 7.

<sup>e</sup> Composed of the Member States represented on the General Committee of the General Assembly at the thirty-eighth session (see sect. X.A. decisions 38/302, 38/303 and 38/304).

Organ	Session	Page
Committee on Disarmament <sup>f</sup>	S-10	15
Committee on Information	35	97
Committee on Relations with the Host Country	31, vol. I	195
Committee on the Development and Utilization of New and Renewable Sources of Energy	37	166
Committee on the Elimination of Discrimination against Women <sup>g</sup>		
Committee on the Elimination of Racial Discrimination <sup>h</sup>		
Committee on the Exercise of the Inalienable Rights of the Palestinian People	31, vol. I	195
Committee on the Peaceful Uses of Outer Space	35	89
Committee on the Review and Appraisal of the Implementation of the International Development Strategy for the Third United Nations Development Decade	37	135
Conference on Disarmament <sup>f</sup>	S-10	15
Consultative Committee on the Voluntary Fund for the United Nations Decade for Women	37	285
Credentials Committee	38	280
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General Committee <sup>i</sup>		
Governing Council of the United Nations Environment Programme	38	284
High-level Committee on the Review of Technical Co-operation among Developing Countries <sup>j</sup>	35	165
Industrial Development Board	38	285
Intergovernmental Committee on Science and Technology for Development	34	154
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Investments Committee	38	283
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Negotiating Committee on the Financial Emergency of the United Nations <sup>k</sup>	30	138
Preparatory Committee for the Fortieth Anniversary of the United Nations	38	288
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Preparatory Committee for the Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques	37	80
Preparatory Committee for the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space	35	88
Preparatory Committee for the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons	38	69
Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy <sup>l</sup>		
Preparatory Committee for the United Nations Conference on Conditions for Registration of Ships	37	140
Security Council	38	282

<sup>f</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27 and Corr.1)*, para. 21).

<sup>g</sup> Established in accordance with article 17 of the Convention on the Elimination of All Forms of Discrimination against Women (see resolution 34/180). For the composition of the Committee, see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 45 (A/38/45)*, annex II.

<sup>h</sup> Established in accordance with article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination (see resolution 2106 A (XX)). For the composition of the Committee, see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 18 (A/38/18)*, annex II.

<sup>i</sup> See sect. X.A, decisions 38/302, 38/303 and 38/304.

<sup>j</sup> See also *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 39 (A/38/39)*, sect. II.B.

<sup>k</sup> *Ibid.*, *Thirty-first Session, Supplement No. 37 (A/31/37)*, para. 3.

<sup>l</sup> By a communication dated 8 July 1983 (see A/37/755/Add.1), the President of the General Assembly informed the Secretary-General that, on the basis of information transmitted to him by the Chairman of the Asian Group, he had appointed the ISLAMIC REPUBLIC OF IRAN as a member of the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy. As a result the Preparatory Committee is composed of the following Member States: ALGERIA, ARGENTINA, AUSTRALIA, AUSTRIA, BELGIUM, BRAZIL, BULGARIA, BYELORUSSIAN SOVIET SOCIALIST REPUBLIC, CANADA, CHILE, CHINA, COLOMBIA, COSTA RICA, CUBA, CZECHOSLOVAKIA, DENMARK, ECUADOR, EGYPT, FINLAND, FRANCE, GERMAN DEMOCRATIC REPUBLIC, GERMANY, FEDERAL REPUBLIC OF, GHANA, GREECE, GUATEMALA, HUNGARY, INDIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), IRAQ, IRELAND, ITALY, IVORY COAST, JAPAN, LIBYAN ARAB JAMAHIRIYA, MALAYSIA, MAURITANIA, MEXICO, MOROCCO, NETHERLANDS, NIGER, NIGERIA, NORWAY, PAKISTAN, PERU, PHILIPPINES, POLAND, ROMANIA, SAUDI ARABIA, SENEGAL, SPAIN, SRI LANKA, SWEDEN, SYRIAN ARAB REPUBLIC, THAILAND, TURKEY, 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 STATES OF AMERICA, URUGUAY, VENEZUELA, YUGOSLAVIA and ZAIRE.

<i>Organ</i>	<i>Session</i>	<i>Page</i>
Special Committee against <i>Apartheid</i> .....	29, vol. II	2
Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations .....	32	214
Special Committee on Peace-keeping Operations .....	32	226
Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization .....	30	153
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples .....	38	284
Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories .....	28, vol. II	1
Special Committee to Select the Winners of the United Nations Human Rights Prize .....	21	62
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United Nations Administrative Tribunal .....	38	283
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United Nations Conciliation Commission for Palestine .....	3, part I	25
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United Nations Scientific Committee on the Effects of Atomic Radiation ...	28, vol. II	2
United Nations Staff Pension Committee (members appointed by the General Assembly) .....	37	284
Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East .....	25	31
World Food Council .....	38	285

<sup>m</sup> *Ibid.*, Thirty-seventh Session, Supplement No. 15 (A/37/15), vol. II, part two, annex III.

<sup>n</sup> See also *Official Records of the Security Council, Thirty-eighth Year, Special Supplement No. 1*, para. 2.

<sup>o</sup> See also resolution 1344 (XIII).



## ANNEX II

### CONVENTIONS, DECLARATIONS AND OTHER INSTRUMENTS

This list provides a reference to the conventions, declarations and other instruments the texts of which appear in the volumes of resolutions and decisions.

<i>Title</i>	<i>Resolution No.</i>
Agreement between the United Nations and the Carnegie Foundation concerning the use of the premises of the Peace Palace at The Hague and Supplementary Agreement . . .	84 (I) 2902 (XXVI)
Agreement between the United Nations and the International Fund for Agricultural Development . . . . .	32/107
Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations . . . . .	169 (II)
Agreement between the United Nations and the World Intellectual Property Organization	3346 (XXIX)
Agreement Governing the Activities of States on the Moon and Other Celestial Bodies . . .	34/68
Agreement on Co-operation and Relationships between the United Nations and the World Tourism Organization . . . . .	32/156
Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space . . . . .	2345 (XXII)
Charter of Economic Rights and Duties of States . . . . .	3281 (XXIX)
Code of Conduct for Law Enforcement Officials . . . . .	34/169
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others . . . . .	317 (IV)
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages . . . . .	1763 A (XVII)
Convention on International Liability for Damage Caused by Space Objects . . . . .	2777 (XXVI)
Convention on Registration of Objects Launched into Outer Space . . . . .	3235 (XXIX)
Convention on Special Missions and Optional Protocol concerning the Compulsory Settlement of Disputes . . . . .	2530 (XXIV)
Convention on the Elimination of All Forms of Discrimination against Women . . . . .	34/180
Convention on the International Right of Correction . . . . .	630 (VII)
Convention on the Nationality of Married Women . . . . .	1040 (XI)
Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity . . . . .	2391 (XXIII)
Convention on the Political Rights of Women . . . . .	640 (VII)
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents . . . . .	3166 (XXVIII)
Convention on the Prevention and Punishment of the Crime of Genocide . . . . .	260 A (III)
Convention on the Privileges and Immunities of the Specialized Agencies . . . . .	179 (II)
Convention on the Privileges and Immunities of the United Nations . . . . .	22 A (I)
Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques . . . . .	31/72
Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction . . . . .	2826 (XXVI)
Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space . . . . .	1962 (XVIII)
Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction . . . . .	2749 (XXV)
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## ANNEX IV

## CHECK LIST OF RESOLUTIONS AND DECISIONS

This check list includes all the resolutions and decisions adopted by the General Assembly during its thirty-eighth session, from 20 September to 20 December 1983 and on 26 June 1984. The column "Voting result" indicates the number of votes in favour, the number of votes against and the number of abstentions for those resolutions and decisions which were adopted by a formal vote. Unless otherwise indicated, all the votes were recorded votes. The details of the voting, which are available only for recorded votes, appear in the verbatim record of the relevant plenary meeting (see *Official Records of the General Assembly, Thirty-eighth Session, Plenary Meetings*); a complete tabulation of those results by Member State will be found in the annex to the *Index to proceedings of the General Assembly (ST/LIB/SER.B/A.36)*.

## RESOLUTIONS

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38/4	Co-operation between the United Nations and the Organization of the Islamic Conference .....	22	39th	28 October 1983		15
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38/8	Report of the International Atomic Energy Agency .....	14	46th	4 November 1983		20
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38/11	Proposed new racial constitution of South Africa .....	32	56th	15 November 1983	141-0-7	22
38/12	Question of the Falkland Islands (Malvinas) .....	25	59th	16 November 1983	87-9-54	23
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38/26	Channels of communication between the United Nations and youth and youth organizations .....	88	66th	22 November 1983		193
38/27	Question of aging .....	89	66th	22 November 1983		193
38/28	Implementation of the World Programme of Action concerning Disabled Persons .....	90	66th	22 November 1983		194
38/29	The situation in Afghanistan and its implications for international peace and security .....	29	69th	23 November 1983	116-20-17	24
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38/50	Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, <i>apartheid</i> and racial discrimination in southern Africa	103	86th	7 December 1983	129-7-16	230
38/51	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations	12 and 104	86th	7 December 1983	117-3-33	233
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38/68	Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons	53	97th	15 December 1983	141-0-6	59
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\* Section XIII of resolution 38/234 was adopted by a vote of 106 votes to 16, with 16 abstentions.

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