

RESOLUTIONS and **DECISIONS**

**adopted by the General Assembly
during its
FORTIETH SESSION**

**17 September-18 December 1985
28 April-9 May and 20 June 1986**

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTIETH SESSION

SUPPLEMENT No. 53 (A/40/53)



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New York, 1986

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.

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The present volume contains the resolutions and decisions adopted by the General Assembly from 17 September to 18 December 1985, from 28 April to 9 May and on 20 June 1986. Any further resolutions or decisions which the Assembly may adopt at its fortieth session will appear in an addendum to the present volume.

The present volume also 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 ITEMS¹

Plenary meetings

1. Opening of the session by the Chairman of the delegation of Zambia (item 1).
2. Minute of silent prayer or meditation (item 2).
3. Credentials of representatives to the fortieth 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 (chapters I, II, III (sections F and H), VI (section E), VIII and IX (sections A and B)) (item 12).²
13. Report of the International Court of Justice (item 13).
14. Report of the International Atomic Energy Agency (item 14).³
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;
 - (c) Election to fill a casual vacancy on the International Court of Justice.
16. Elections to fill vacancies in subsidiary organs and other elections (item 16):
 - (a) Election of nineteen members of the Governing Council of the United Nations Environment Programme;
 - (b) Election of twelve members of the World Food Council;
 - (c) Election of seven members of the Committee for Programme and Co-ordination;
 - (d) Election of the members of the Board of Governors of the United Nations Special Fund for Land-locked Developing Countries;
 - (e) Election of nineteen members of the United Nations Commission on International Trade Law;
 - (f) Election of the United Nations High Commissioner for Refugees.
17. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):⁴

¹ At its 3rd, 5th, 53rd, 78th, 123rd and 124th plenary meetings, on 20 and 23 September, 29 October and 15 November 1985 and 28 April 1986, the General Assembly adopted the agenda and the allocation of agenda items for its fortieth session (see sect. X.B.1, decision 40/402). 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/40/250, paras. 24-32) and adopted by the Assembly at its 3rd plenary meeting. The General Committee made no recommendation regarding the allocation of agenda item 44 (Question of Cyprus). For the numerical list of agenda items, see annex III.

² For chapter I, see also "Second Committee", item 1, "Third Committee", item 1, "Fourth Committee", item 4, "Fifth Committee", item 14, and "Sixth Committee", item 18; for chapter II, chapter III (section F) and chapter IX (sections A and B), see also "Second Committee" and "Third 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".

³ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (b) (i)), decided that the relevant paragraphs of the report of the International Atomic Energy Agency for 1984 (see A/40/576 and Corr.1) would be drawn to the attention of the First Committee in connection with its consideration of agenda item 68.

⁴ For sub-items (a) to (g), see "Fifth Committee", item 15.

- (h) Appointment of the members of the Consultative Committee on the United Nations Development Fund for Women;
 - (i) Confirmation of the appointment of the Executive Director of the United Nations Special Fund for Land-locked Developing Countries;
 - (j) Appointment of the United Nations Commissioner for Namibia;
 - (k) Confirmation of the appointment of the Secretary-General of the United Nations Conference on Trade and Development;
 - (l) 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;
 - (m) Confirmation of the appointment of the Administrator of the United Nations Development Programme.⁵
18. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18):⁶
 - (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. The situation in Central America: threats to international peace and security and peace initiatives (item 21).
 22. The situation in Kampuchea: report of the Secretary-General (item 22).
 23. Question of the Falkland Islands (Malvinas): report of the Secretary-General (item 23).⁷
 24. Co-operation between the United Nations and the Organization of the Islamic Conference: report of the Secretary-General (item 24).
 25. Co-operation between the United Nations and the Organization of African Unity: report of the Secretary-General (item 25).
 26. Co-operation between the United Nations and the League of Arab States: report of the Secretary-General (item 26).
 27. International Year of Peace: report of the Secretary-General (item 27).
 28. The situation in Afghanistan and its implications for international peace and security: report of the Secretary-General (item 28).
 29. 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 29).
 30. Critical economic situation in Africa: report of the Secretary-General (item 30).
 31. Co-operation between the United Nations and the Asian-African Legal Consultative Committee: report of the Secretary-General (item 31).
 32. Question of the Comorian island of Mayotte: report of the Secretary-General (item 32).
 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 Secretary-General.
 34. Question of Namibia (item 34):⁸

⁵ At its 123rd plenary meeting, on 28 April 1986, the General Assembly, on the proposal of the Secretary-General (A/40/246, para. 5), decided to include this item in its agenda as sub-item 17 (m) and to consider it directly in plenary meeting.

⁶ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (a) (i)), decided to refer to the Fourth Committee all the chapters of the report of the Special Committee (A/40/23) 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.

⁷ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (a) (ii)), decided to consider the 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.

⁸ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (a) (iii)), decided to consider this item directly in plenary meeting on the understanding that the hearings of the organizations concerned would be held in the Fourth Committee.

- (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) Reports of the Secretary-General.
35. Policies of *apartheid* of the Government of South Africa (item 35):⁹
 - (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.
 36. Law of the sea: report of the Secretary-General (item 36).
 37. 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 37).
 38. The situation in the Middle East: reports of the Secretary-General (item 38).
 39. Commemoration of the fortieth anniversary of the United Nations: report of the Preparatory Committee for the Fortieth Anniversary of the United Nations (item 39).
 40. Question of peace, stability and co-operation in South-East Asia (item 40).
 41. Launching of global negotiations on international economic co-operation for development (item 41).
 42. Question of equitable representation on and increase in the membership of the Security Council (item 42).
 43. Observance of the quinqucentenary of the discovery of America (item 43).
 44. Implementation of the resolutions of the United Nations (item 44).
 45. Consequences of the prolongation of the armed conflict between Iran and Iraq (item 46).
 46. Celebration of the one-hundred-and-fiftieth anniversary of the emancipation of slaves in the British Empire (item 47).
 47. Solemn appeal to States in conflict to cease armed action forthwith and to settle disputes between them through negotiations, and to States Members of the United Nations to undertake to solve situations of tension and conflict and existing disputes by political means and to refrain from the threat or use of force and from any intervention in the internal affairs of other States (item 146).
 48. International Youth Year: Participation, Development, Peace (item 89).¹⁰
 49. International relief to Mexico (item 147).¹¹
 50. International relief to Colombia (item 149).¹²
 51. Current financial crisis of the United Nations (item 150).¹³

First Committee

(DISARMAMENT AND RELATED INTERNATIONAL SECURITY QUESTIONS)

1. Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security (item 48).

⁹ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (a) (iv)), decided to consider the 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.

¹⁰ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (d)), decided that, notwithstanding the allocation of the item to the Third Committee, an appropriate number of plenary meetings, starting on 13 November 1985, would be devoted to policies and programmes relating to youth and that these meetings would be designated United Nations World Conference for the International Youth Year.

¹¹ At its 5th plenary meeting, on 23 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its second report (A/40/250/Add.1, para. 2), decided to include this item in its agenda and to consider it directly in plenary meeting.

¹² At its 78th plenary meeting, on 15 November 1985, the General Assembly, on the recommendation of the General Committee as set forth in its fourth report (A/40/250/Add.3, para. 2), decided to include this item in its agenda and to consider it directly in plenary meeting.

¹³ At its 124th plenary meeting, on 28 April 1986, the General Assembly, on the recommendation of the General Committee as set forth in its fifth report (A/40/250/Add.4, para. 2), decided to include this item in its agenda and to consider it directly in plenary meeting.

2. Implementation of General Assembly resolution 39/51 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 49).
3. Cessation of all test explosions of nuclear weapons: report of the Conference on Disarmament (item 50).
4. Urgent need for a comprehensive nuclear-test-ban treaty: report of the Conference on Disarmament (item 51).
5. Establishment of a nuclear-weapon-free zone in the region of the Middle East: report of the Secretary-General (item 52).
6. Establishment of a nuclear-weapon-free zone in South Asia: report of the Secretary-General (item 53).
7. 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: report of the Secretary-General (item 54).
8. 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 Conference on Disarmament (item 55).
9. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Conference on Disarmament (item 56).
10. Prevention of an arms race in outer space: report of the Conference on Disarmament (item 57).
11. Implementation of General Assembly resolution 39/60 on the immediate cessation and prohibition of nuclear-weapon tests: report of the Conference on Disarmament (item 58).
12. Implementation of the Declaration on the Denuclearization of Africa (item 59):
 - (a) Report of the Disarmament Commission;
 - (b) Report of the Secretary-General.
13. 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 (item 60).
14. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly (item 61):
 - (a) World Disarmament Campaign: report of the Secretary-General;
 - (b) United Nations programme of fellowships on disarmament: report of the Secretary-General;
 - (c) Implementation of General Assembly resolution 39/63 C on a nuclear-arms freeze;
 - (d) Consideration of guidelines for confidence-building measures;
 - (e) Freeze on nuclear weapons;
 - (f) Convention on the Prohibition of the Use of Nuclear Weapons: report of the Conference on Disarmament;
 - (g) Third special session of the General Assembly devoted to disarmament;
 - (h) Disarmament and international security: report of the Secretary-General.
15. Reduction of military budgets (item 62):
 - (a) Report of the Disarmament Commission;
 - (b) Reports of the Secretary-General.
16. Chemical and bacteriological (biological) weapons: report of the Conference on Disarmament (item 63).
17. Israeli nuclear armament: report of the United Nations Institute for Disarmament Research (item 64).
18. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session (item 65):
 - (a) Report of the Disarmament Commission;
 - (b) Report of the Conference on Disarmament;
 - (c) Status of multilateral disarmament agreements: report of the Secretary-General;
 - (d) Advisory Board on Disarmament Studies: report of the Secretary-General;
 - (e) Cessation of the nuclear-arms race and nuclear disarmament: report of the Conference on Disarmament;
 - (f) Non-use of nuclear weapons and prevention of nuclear war: report of the Conference on Disarmament;
 - (g) Prohibition of the nuclear neutron weapon: report of the Conference on Disarmament;

- (h) Prevention of nuclear war:
 - (i) Report of the Conference on Disarmament;
 - (ii) Reports of the Secretary-General;
 - (i) Bilateral nuclear-arms negotiations;
 - (j) United Nations Institute for Disarmament Research: report of the Director of the Institute;
 - (k) Comprehensive programme of disarmament: report of the Conference on Disarmament;
 - (l) Disarmament Week: report of the Secretary-General;
 - (m) Implementation of the recommendations and decisions of the tenth special session:
 - (i) Report of the Disarmament Commission;
 - (ii) Report of the Conference on Disarmament;
 - (n) Review and appraisal of the implementation of the Declaration of the 1980s as the Second Disarmament Decade: report of the Disarmament Commission.
19. Implementation of the Declaration of the Indian Ocean as a Zone of Peace: report of the *Ad Hoc* Committee on the Indian Ocean (item 66).
20. World Disarmament Conference: report of the *Ad Hoc* Committee on the World Disarmament Conference (item 67).
21. General and complete disarmament (item 68):³
- (a) Further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and in the subsoil thereof: report of the Conference on Disarmament;
 - (b) Study on the naval arms race: report of the Secretary-General;
 - (c) Study on concepts of security: report of the Secretary-General;
 - (d) Study of the question of nuclear-weapon-free zones in all its aspects: report of the Secretary-General;
 - (e) Study on conventional disarmament: report of the Secretary-General;
 - (f) Military research and development: report of the Secretary-General;
 - (g) Review of the role of the United Nations in the field of disarmament: report of the Disarmament Commission;
 - (h) Prohibition of the production of fissionable material for weapons purposes: report of the Conference on Disarmament;
 - (i) Curbing the naval arms race: limitation and reduction of naval armaments and extension of confidence-building measures to seas and oceans: report of the Disarmament Commission;
 - (j) Prohibition of the development, production, stockpiling and use of radiological weapons: report of the Conference on Disarmament.
22. Relationship between disarmament and development (item 69):
- (a) Reallocation and conversion of resources, through disarmament measures, from military to civilian purposes;
 - (b) Relationship between disarmament and development: report of the Secretary-General;
 - (c) International Conference on the Relationship between Disarmament and Development: report of the Preparatory Committee for the International Conference on the Relationship between Disarmament and Development.
23. Question of Antarctica (item 70).
24. Strengthening of security and co-operation in the Mediterranean region (item 71).
25. Review of the implementation of the Declaration on the Strengthening of International Security (item 72):
- (a) Report of the Security Council;
 - (b) Reports of the Secretary-General.
26. Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security: report of the *Ad Hoc* Committee on the Implementation of the Collective Security Provisions of the Charter of the United Nations (item 73).
27. International co-operation in the peaceful exploitation of outer space under conditions of its non-militarization (item 145).

Special Political Committee

1. Effects of atomic radiation: report of the United Nations Scientific Committee on the Effects of Atomic Radiation (item 74).
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 75).
3. International co-operation in the peaceful uses of outer space (item 76):
 - (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 77).
5. Questions relating to information (item 78):
 - (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 79):
 - (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) Reports of the Secretary-General.
7. International co-operation to avert new flows of refugees: report of the Secretary-General (item 80).
8. Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea: report of the Secretary-General (item 81).
9. Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India (item 82).
10. Question of the composition of the relevant organs of the United Nations (item 83).
11. Policies of *apartheid* of the Government of South Africa (item 35):⁹
 - (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):¹⁴
 - (a) Report of the Council (chapters I, II, III (sections E to G, J and K), IV, VI, VIII and IX (sections A, B, D and G to K));¹⁵
 - (b) Reports of the Secretary-General.
2. Development and international economic co-operation (item 84):¹⁶
 - (a) International Development Strategy for the Third United Nations Development Decade: report of the Committee on the Review and Appraisal of the

¹⁴ For sub-item (c), see "Third Committee", item 1.

¹⁵ For chapter I, see also "Plenary meetings", item 12, "Third Committee", item 1, "Fourth Committee", item 4, "Fifth Committee", item 14, and "Sixth Committee", item 18; for chapter II, chapter III (section F) and chapter IX (sections A and B), see also "Plenary meetings" and "Third Committee"; for chapter IV (section A) and chapter VI (section A), see also "Third Committee"; for chapter IV (sections D and J) and chapter IX (section J), see also "Fifth Committee"; for chapter IV (section G) and chapter VI (sections C, D and F), see also "Third Committee" 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".

¹⁶ Under this item, the General Assembly also had before it the following documents:

- (i) Report of the Secretary-General prepared in pursuance of General Assembly resolution 39/218 (A/40/708);
- (ii) Report of the Industrial Development Board (*Official Records of the General Assembly, Fortieth Session, Supplement No. 16 (A/40/16)*);
- (iii) Report of the World Food Council (*ibid.*, Supplement No. 19 (A/40/19)).

- Implementation of the International Development Strategy for the Third United Nations Development Decade;
- (b) Review of the implementation of the Charter of Economic Rights and Duties of States: report of the *Ad Hoc* Committee of the Whole to Review the Implementation of the Charter of Economic Rights and Duties of States;
 - (c) Trade and development:
 - (i) Report of the Trade and Development Board;
 - (ii) Reports of the Secretary-General;
 - (iii) Reports of the Secretary-General of the United Nations Conference on Trade and Development;
 - (d) Science and technology for development: report of the Intergovernmental Committee on Science and Technology for Development;
 - (e) 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) Reports of the Secretary-General;
 - (f) Environment:
 - (i) Report of the Governing Council of the United Nations Environment Programme;
 - (ii) Reports of the Secretary-General;
 - (g) Human settlements:
 - (i) Report of the Commission on Human Settlements;
 - (ii) Reports of the Secretary-General;
 - (h) International Year of Shelter for the Homeless: report of the Secretary-General;
 - (i) Effective mobilization and integration of women in development: report of the Secretary-General;¹⁷
 - (j) Implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries: report of the Secretary-General;
 - (k) New international human order: moral aspects of development: report of the Secretary-General;
 - (l) Long-term trends in economic development: report of the Secretary-General;
 - (m) Immediate measures in favour of the developing countries: report of the Secretary-General;
 - (n) New and renewable sources of energy: report of the Secretary-General;
 - (o) Development of the energy resources of developing countries: report of the Secretary-General.
3. Operational activities for development (item 85):
 - (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 Volunteers programme;
 - (e) United Nations technical co-operation activities: reports of the Secretary-General;
 - (f) Liquidation of the United Nations Emergency Operation Trust Fund and allocation of the remaining balance: report of the Secretary-General.
 4. Training and research: United Nations Institute for Training and Research: report of the Secretary-General (item 86).
 5. Special economic and disaster relief assistance: special programmes of economic assistance: reports of the Secretary-General (item 87).

¹⁷ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (c)), decided that documents concerning the integration of women in development would be made available to the Third Committee under agenda item 92.

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 D, F and I), IV (sections A and G), V, VI (sections A, C, D and F), VII, VIII and IX (sections A to C, E and F));¹⁸
 - (b) Reports of the Secretary-General;
 - (c) Reports of the United Nations High Commissioner for Refugees.
2. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination: reports of the Secretary-General (item 88).
3. International Youth Year: Participation, Development, Peace: report of the Secretary-General (item 89).¹⁰
4. World social situation (item 90):
 - (a) World social situation: reports of the Secretary-General;
 - (b) Popular participation in its various forms as an important factor in development and in the full realization of all human rights: report of the Secretary-General.
5. National experience in achieving far-reaching social and economic changes for the purpose of social progress: reports of the Secretary-General (item 91).
6. United Nations Decade for Women: Equality, Development and Peace (item 92):¹⁷
 - (a) Implementation of the Programme of Action for the Second Half of the United Nations Decade for Women: report of the Secretary-General;
 - (b) World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace;
 - (c) United Nations Development Fund for Women: reports of the Secretary-General;
 - (d) Prevention of prostitution.
7. 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 93).
8. Elimination of all forms of racial discrimination (item 94):
 - (a) Report of the Committee on the Elimination of Racial Discrimination;
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9. Policies and programmes relating to youth: report of the Secretary-General (item 95).
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12. Crime prevention and criminal justice (item 98):
 - (a) Report of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders;
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13. International Research and Training Institute for the Advancement of Women: report of the Secretary-General (item 99).
14. Elimination of all forms of discrimination against women (item 100):

¹⁸ For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Fourth Committee", item 4, "Fifth Committee", item 14, and "Sixth Committee", item 18; for chapter II, chapter III (section F) and chapter IX (sections A and B), see also "Plenary meetings" and "Second Committee"; for chapter IV (section A) and chapter VI (section A), see also "Second Committee"; for chapter IV (section G) and chapter VI (sections C, D and F), see also "Second Committee" and "Fifth Committee"; for chapter V (section A) and chapter VII, see also "Fifth Committee"; and for chapter VIII, see also "Plenary meetings", "Second Committee" and "Fifth Committee".

- (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.
15. Elimination of all forms of religious intolerance: report of the Secretary-General (item 101).
 16. Human rights and scientific and technological developments (item 102).
 17. Question of a convention on the rights of the child (item 103).
 18. International Covenants on Human Rights (item 104):
 - (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;
 - (c) Reporting obligations of States parties to United Nations conventions on human rights: report of the Secretary-General.
 19. Office of the United Nations High Commissioner for Refugees (item 105):
 - (a) Report of the High Commissioner;
 - (b) Assistance to refugees in Africa: report of the Secretary-General.
 20. International campaign against traffic in drugs: reports of the Secretary-General (item 106).
 21. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms: reports of the Secretary-General (item 107).
 22. New international humanitarian order: report of the Secretary-General (item 108).
 23. Torture and other cruel, inhuman or degrading treatment or punishment (item 144).

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 109):
 - (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.
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 110).
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 111):
 - (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 112).¹⁹
5. United Nations Educational and Training Programme for Southern Africa: report of the Secretary-General (item 112).
6. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General (item 113).
7. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18):²⁰

¹⁹ For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Third Committee", item 1, "Fifth Committee", item 14, and "Sixth Committee", item 18; for chapter VI (section E), see also "Plenary meetings" and "Second Committee".

- (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 23).⁷
 9. Question of Namibia (item 34):⁸
 - (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) Reports 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 114):
 - (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;
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 - (e) Voluntary funds administered by the United Nations High Commissioner for Refugees;
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 - (g) United Nations Industrial Development Fund.
2. Programme budget for the biennium 1984-1985 (item 115).
3. Proposed programme budget for the biennium 1986-1987 (item 116).
4. Programme planning (item 117):
 - (a) Report of the Committee for Programme and Co-ordination;
 - (b) Reports of the Secretary-General.
5. Financial emergency of the United Nations (item 118):
 - (a) Report of the Negotiating Committee on the Financial Emergency of the United Nations;
 - (b) Reports of the Secretary-General.
6. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency (item 119):
 - (a) Report of the Advisory Committee on Administrative and Budgetary Questions;
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 - (c) Feasibility of establishing a single administrative tribunal: report of the Secretary-General.
7. Joint Inspection Unit (item 120):²⁰
 - (a) Reports of the Joint Inspection Unit;
 - (b) Reports of the Secretary-General.
8. Pattern of conferences: report of the Committee on Conferences (item 121).
9. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (item 122).
10. Personnel questions (item 123):
 - (a) Composition of the Secretariat: report of the Secretary-General;
 - (b) Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations: report of the Secretary-General;
 - (c) Other personnel questions: reports of the Secretary-General.
11. United Nations common system: report of the International Civil Service Commission (item 124).

²⁰ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (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.

12. United Nations pension system: report of the United Nations Joint Staff Pension Board (item 125).
13. Financing of the United Nations peace-keeping forces in the Middle East (item 126):
 - (a) United Nations Disengagement Observer Force: report of the Secretary-General;
 - (b) United Nations Interim Force in Lebanon: report of the Secretary-General;
 - (c) Review of the rates of reimbursement to the Governments of troop-contributing States: report of the Secretary-General.
14. Report of the Economic and Social Council (chapters I, IV (sections D, G and J), V (section A), VI (sections C, D and F), VII, VIII and IX (sections J and L)) (item 12).²¹
15. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):²²
 - (a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions;
 - (b) Appointment of members of the Committee on Contributions;
 - (c) Appointment of a member of the Board of Auditors;
 - (d) Confirmation of the appointment of members of the Investments Committee;
 - (e) Appointment of members of the United Nations Administrative Tribunal;
 - (f) Appointment of members of the International Civil Service Commission;
 - (g) Appointment of members and alternate members of the United Nations Staff Pension Committee.

Sixth Committee

(LEGAL QUESTIONS)

1. Consideration of the draft articles on most-favoured-nation clauses: report of the Secretary-General (item 127).
2. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law: report of the Secretary-General (item 128).
3. 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 129).
4. Progressive development of the principles and norms of international law relating to the new international economic order: report of the Secretary-General (item 130).
5. Development and strengthening of good-neighbourliness between States: report of the Secretary-General (item 131).
6. Peaceful settlement of disputes between States (item 132).
7. Draft Code of Offences against the Peace and Security of Mankind: report of the Secretary-General (item 133).
8. Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations (item 134).
9. Report of the United Nations Commission on International Trade Law on the work of its eighteenth session (item 135).
10. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives: report of the Secretary-General (item 136).
11. Report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries (item 137).
12. Report of the International Law Commission on the work of its thirty-seventh session (item 138).

²¹ For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Third Committee", item 1, "Fourth Committee", item 4, and "Sixth Committee", item 18; for chapter IV (sections D and J) and chapter IX (section J), see also "Second Committee"; for chapter IV (section G) and chapter VI (sections C, D and F), see also "Second Committee" and "Third Committee"; for chapter V (section A) and chapter VII, see also "Third Committee"; and for chapter VIII, see also "Plenary meetings", "Second Committee" and "Third Committee".

²² For sub-items (h) to (m), see "Plenary meetings", item 17.

13. Preparation for the United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations (item 139).
14. Report of the Committee on Relations with the Host Country (item 140).
15. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (item 141).²³
16. Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (item 142).
17. Draft standard rules of procedure for United Nations conferences: report of the Secretary-General (item 143).
18. Report of the Economic and Social Council (chapter I) (item 12).²⁴
19. 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 (item 148).²⁵

²³ At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/40/250, para. 31 (f)), decided that the main conclusions of the Meeting of Presidents of the General Assembly on the occasion of the fortieth anniversary of the United Nations (A/40/377, annex) would be referred to the Sixth Committee for consideration under agenda item 141.

²⁴ For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Third Committee", item 1, "Fourth Committee", item 4, and "Fifth Committee", item 14.

²⁵ At its 53rd plenary meeting, on 29 October 1985, the General Assembly, on the recommendation of the General Committee as set forth in its third report (A/40/L.10/Add.2, para. 2), decided to include this item in the agenda and to allocate it to the Sixth Committee.

II. RESOLUTIONS ADOPTED WITHOUT REFERENCE TO A MAIN COMMITTEE¹

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40/3	International Year of Peace (A/40/L.6/Rev.1 and Rev.1/Add.1)	27	24 October 1985	15
40/4	Co-operation between the United Nations and the Organization of the Islamic Conference (A/40/L.5)	24	25 October 1985	15
40/5	Co-operation between the United Nations and the League of Arab States (A/40/L.7)	26	25 October 1985	16
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40/7	The situation in Kampuchea (A/40/L.4 and Add.1)	22	5 November 1985	18
40/8	Report of the International Atomic Energy Agency (A/40/L.8)	14	8 November 1985	19
40/9	Solemn appeal to States in conflict to cease armed action forthwith and to settle disputes between them through negotiations, and to States Members of the United Nations to undertake to solve situations of tension and conflict and existing disputes by political means and to refrain from the threat or use of force and from any intervention in the internal affairs of other States (A/40/L.12)	146	8 November 1985	20
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¹ For the decisions adopted without reference to a Main Committee, see sect. X.B.1.

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40/237	Review of the efficiency of the administrative and financial functioning of the United Nations (A/40/L.42/Rev.1)	39	18 December 1985	60

40/1. International relief to Mexico

The General Assembly,

Deeply distressed by the loss of lives, the number of afflicted persons and the enormous destruction wrought by the earthquakes which, on 19 and 20 September 1985, struck various regions of Mexico, especially its capital,

Conscious of the efforts of the Government and people of Mexico to save lives and alleviate the sufferings of the victims of the cataclysm,

Noting the enormous effort that will be required to alleviate the grave situation caused by this natural disaster, for which the Government of Mexico has established a National Reconstruction Trust Fund,

Conscious also of the prompt response of Governments, international agencies, non-governmental organizations and private individuals, which have contributed emergency disaster relief,

Recognizing that the magnitude of the catastrophe and its long-term effects will require, as a complement to the effort being made by the people and Government of Mexico, a demonstration of international solidarity and humanitarian concern to ensure broad multilateral co-operation in order to meet the immediate emergency situa-

tion in the affected areas, as well as to undertake the process of reconstruction,

1. *Expresses its solidarity and support* to the Government and people of Mexico;

2. *Expresses its appreciation* to the States, international and regional agencies, non-governmental organizations and private individuals that are providing emergency relief to that country;

3. *Requests* the Secretary-General to mobilize resources to contribute to the relief and reconstruction task undertaken by the Government of Mexico;

4. *Calls upon* all States to contribute generously to those relief and reconstruction efforts in the affected areas and, to the extent possible, to channel their assistance through the United Nations system;

5. *Requests* the Secretary-General to co-ordinate the multilateral assistance and, in consultation with the Government of Mexico, to identify the emergency and medium-term and long-term needs in order to contribute to the reconstruction of the affected areas.

6th plenary meeting
24 September 1985

40/2. Credentials of representatives to the fortieth session of the General Assembly**A***The General Assembly**Approves the first report of the Credentials Committee.²**37th plenary meeting
16 October 1985***B***The General Assembly**Approves the second report of the Credentials Committee.³**120th plenary meeting
17 December 1985***40/3. International Year of Peace***The General Assembly,**Recalling resolution 37/16 of 16 November 1982, in which it declared 1986 to be the International Year of Peace,**Recognizing that the importance of the International Year of Peace, which has been linked with the fortieth anniversary of the United Nations, requires that the Year be devoted to concentrate the efforts of the United Nations and its Member States on the promotion and achievement of the ideals of peace by all possible means, which constitutes a fundamental purpose of the Charter of the United Nations,**Considering that efforts and activities to achieve positive results in international co-operation for the promotion of peace must be intensified during the Year and for ever,**1. Approves the Proclamation of the International Year of Peace, the text of which is annexed to the present resolution;**2. Invites all States, all organizations of the United Nations system and interested non-governmental organizations, educational, scientific, cultural and research organizations and the communications media to co-operate with the Secretary-General in achieving the objectives of the International Year of Peace;**3. Requests the Secretary-General to ensure the widest possible dissemination of this Proclamation.**49th plenary meeting
24 October 1985***ANNEX****Proclamation of the International Year of Peace***Whereas the General Assembly has decided unanimously to proclaim solemnly the International Year of Peace on 24 October 1985, the fortieth anniversary of the United Nations,**Whereas the fortieth anniversary of the United Nations provides a unique opportunity to reaffirm the support for and commitment to the purposes and principles of the Charter of the United Nations,**Whereas peace constitutes a universal ideal and the promotion of peace is the primary purpose of the United Nations,**Whereas the promotion of international peace and security requires continuing and positive action by States and peoples aimed at the prevention**of war, removal of various threats to peace — including the nuclear threat — respect for the principle of non-use of force, the resolution of conflicts and the peaceful settlement of disputes, confidence-building measures, disarmament, the maintenance of outer space for peaceful uses, development, the promotion and exercise of human rights and fundamental freedoms, decolonization in accordance with the principle of self-determination, the elimination of racial discrimination and *apartheid*, the enhancement of the quality of life, satisfaction of human needs and the protection of the environment,**Whereas peoples must live together in peace and practise tolerance, and it has been recognized that education, information, science and culture can contribute to that end,**Whereas the International Year of Peace provides a timely impetus for initiating renewed thought and action for the promotion of peace,**Whereas the International Year of Peace offers an opportunity to Governments, intergovernmental, non-governmental organizations and others to express in practical terms the common aspiration of all peoples for peace,**Whereas the International Year of Peace is not only a celebration or commemoration, but an opportunity to reflect and act creatively and systematically in fulfilling the purposes of the United Nations,**Now, therefore,**The General Assembly**Solemnly proclaims 1986 to be the International Year of Peace and calls upon all peoples to join with the United Nations in resolute efforts to safeguard peace and the future of humanity.***40/4. 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,⁴**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,**Recalling the Articles of the Charter of the United Nations which encourage activities through regional co-operation for the promotion of the purposes and principles of the United Nations,**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,**Noting the convening of the co-ordination meeting of the focal points of the lead agencies of the United Nations system and the Organization of the Islamic Conference, held at Geneva on 30 and 31 July 1985 in compliance with General Assembly resolution 39/7, which afforded an opportunity to evaluate the progress achieved in the five priority areas of co-operation identified by the first annual meeting between representatives of the secretariats of the United Nations and other organizations of the United Nations system and the secretariat of the Organization of the Islamic Conference, held at Geneva on 15 July 1983,**Taking note of the encouraging results obtained in the evaluation of the progress achieved in the five priority areas of co-operation as well as in the exchange of views on preparatory work and other details for the second general meeting between the two organizations as provided for in General Assembly resolution 37/4,**Convinced that the strengthening of co-operation between the United Nations and other organizations of the United Nations system and the Organization of the*

² Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 3, document A/40/747.

³ *Ibid.*, document A/40/747/Add.1.

⁴ A/40/657.

Islamic Conference contributes to the promotion of the purposes and principles of the United Nations,

Recalling its resolutions 36/23 of 9 November 1981, 37/4 of 22 October 1982, 38/4 of 28 October 1983 and 39/7 of 8 November 1984,

1. *Takes note with satisfaction* of the report of the Secretary-General;
2. *Approves* the conclusions and recommendations of the co-ordination meeting of the focal points of the lead agencies of the United Nations system and the Organization of the Islamic Conference;⁵
3. *Notes with satisfaction* the active participation of the Organization of the Islamic Conference in the work of the United Nations towards the realization of the purposes and principles of the Charter of the United Nations;
4. *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;
5. *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, particularly by negotiating co-operation agreements, and invites them to multiply the contacts and meetings of focal points for co-operation in priority areas of interest to 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 other 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. *Recommends* that the second general meeting between representatives of the secretariats of the United Nations and other organizations of the United Nations system and the secretariat of the Organization of the Islamic Conference as provided for in General Assembly resolution 37/4, should be organized in 1986 at a date and place to be determined through consultations with the organizations concerned;
8. *Expresses its appreciation* for the efforts of the Secretary-General in the promotion of co-operation between the United Nations and the Organization of the Islamic Conference, and expresses the hope that he will continue to strengthen the mechanisms of co-operation between the two organizations;
9. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the state of co-operation between the United Nations and the Organization of the Islamic Conference;
10. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Co-operation between the United Nations and the Organization of the Islamic Conference".

50th plenary meeting
25 October 1985

⁵ *Ibid.*, sect. III.C.

⁶ A/40/481 and Corr.1 and Add.1.

⁷ See *Official Records of the General Assembly, Fortieth Session, Plenary Meetings*, 50th meeting.

40/5. 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, 37/17 of 16 November 1982, 38/6 of 28 October 1983 and 39/9 of 8 November 1984,

Having considered the report of the Secretary-General on co-operation between the United Nations and the League of Arab States,⁶

Having heard the statement by the Permanent Observer of the League of Arab States on co-operation between the United Nations and the League of Arab States of 25 October 1985⁷ 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 1983,⁸ 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,

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 maintenance and further strengthening 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,

Recalling that at the meeting held at Tunis the framework of co-operation between the United Nations and the League of Arab States in certain priority sectors was defined, and proposals that could lend themselves to joint implementation were recommended,

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;

⁸ A/38/299 and Corr.1, sect. V.

2. *Expresses its appreciation* to the Secretary-General for the follow-up action taken by him on the proposals 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, as well as to the specialized agencies and other organizations of the United Nations system for their efforts to facilitate the implementation of the proposals;

3. *Notes with satisfaction* the results achieved at the sectoral meeting on social development in the Arab region, held at Amman from 19 to 21 August 1985;⁹

4. *Requests* the Secretary-General to continue to strengthen co-operation with the General Secretariat of the League of Arab States for the purpose of implementing United Nations resolutions relating to the question of Palestine and the situation in the Middle East in order to achieve a just, comprehensive and durable solution to the Middle East conflict and the question of Palestine, the core of the conflict;

5. *Requests* the Secretariat of the United Nations and the General Secretariat of the League of Arab States, within their respective fields of competence, further 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 continue his efforts 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 and its specialized organizations in order to enhance their capacity to serve the mutual interests of the two organizations in the political, economic, social and cultural fields;

7. *Requests* the Secretary-General to continue the follow-up action to facilitate the implementation of the proposals of a multilateral nature adopted at the meeting held at Tunis in 1983, and to take appropriate action regarding the multilateral proposals relating to social development adopted at the meeting held at Amman in 1985, including the following measures:

(a) Promotion of contacts and consultations between the counterpart programmes, organizations and agencies concerned;

(b) Setting up of joint sectoral inter-agency working groups;

(c) Consultation with the Secretary-General of the League of Arab States regarding the convening in 1987 of the joint sectoral meeting on development of human resources in the Arab region;

8. *Calls upon* the specialized agencies, and other organizations and programmes of the United Nations system:

(a) To continue to co-operate with the Secretary-General and the programmes, organizations and agencies concerned within the United Nations system and the League of Arab States and its specialized organizations in the follow-up of multilateral proposals aimed at strengthening and expanding co-operation in all fields between the United Nations system and the League of Arab States and its specialized organizations;

(b) To maintain and increase contacts and consultations with the counterpart programmes, organizations and

agencies concerned regarding projects of a bilateral nature in order to facilitate their implementation;

(c) To inform the Secretary-General, not later than 15 May 1986, of the progress of their co-operation with the League of Arab States and its specialized organizations, in particular, the follow-up action taken on the multilateral and bilateral proposals adopted at the meetings held at Tunis and Amman;

9. *Requests* the Secretary-General, in close co-operation with the Secretary-General of the League of Arab States, to hold periodic consultations as and when appropriate between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States on follow-up policies, projects, actions and procedures;

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

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

*50th plenary meeting
25 October 1985*

40/6. 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,

Viewing with deep concern Israel's refusal to comply with Security Council resolution 487 (1981) of 19 June 1981,

Noting with deep concern the threatening statement made by an Israeli cabinet member on 26 March 1985,¹⁰ in which he stated, *inter alia*, "We are prepared to strike against any nuclear reactor built by Iraq in the future",

Deeply alarmed by Israel's failure to state without ambiguity its acceptance of the internationally recognized criteria for the definition of a peaceful nuclear facility and to acknowledge the effectiveness of the safeguards system of the International Atomic Energy Agency as a reliable means of verifying the peaceful operation of nuclear facilities,

Concerned that armed attacks against nuclear facilities raise fears about the safety of present and future nuclear installations,

Aware that all States developing nuclear energy for peaceful purposes need assurances against armed attacks on nuclear facilities,

1. *Strongly condemns* all military attacks on all nuclear installations dedicated to peaceful purposes, including the military attacks by Israel on the nuclear facilities of Iraq;

⁹ See A/40/481/Add.1.

¹⁰ See A/40/283, annex.

2. *Considers* that Israel has not yet committed itself not to attack or threaten to attack nuclear facilities in Iraq or elsewhere, including facilities under International Atomic Energy Agency safeguards;

3. *Requests* the Security Council to take urgent and effective measures to ensure that Israel complies without further delay with the provisions of resolution 487 (1981);

4. *Requests* the International Atomic Energy Agency to consider additional measures effectively to ensure that Israel undertakes not to attack or threaten to attack peaceful nuclear facilities in Iraq or elsewhere, in violation of the Charter of the United Nations and in disregard of the safeguards system of the International Atomic Energy Agency;

5. *Calls upon* Israel urgently to place all its nuclear facilities under International Atomic Energy Agency safeguards in accordance with resolution 487 (1981) adopted unanimously by the Security Council;

6. *Reaffirms* that Iraq is entitled to compensation for the damage it has suffered as a result of the Israeli armed attack on 7 June 1981;

7. *Urges* all Member States to provide necessary technical assistance to Iraq to restore its peaceful nuclear programme and to overcome the damage caused by the Israeli attack;

8. *Calls upon* all States and organizations that have not yet done so to discontinue co-operating with and giving assistance to Israel in the nuclear field;

9. *Requests* the Conference on Disarmament to continue negotiations with a view to an immediate conclusion of the agreement on the prohibition of military attacks on nuclear facilities as a contribution to promoting and ensuring the safe development of nuclear energy for peaceful purposes;

10. *Decides* to include in the provisional agenda of its forty-first 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'.

59th plenary meeting
1 November 1985

40/7. 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, 37/6 of 28 October 1982, 38/3 of 27 October 1983 and 39/5 of 30 October 1984,

Recalling further the Declaration on Kampuchea¹¹ and resolution 1 (I)¹² 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 39/5,¹³

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,

Noting the continued and effective struggle waged against foreign occupation by the Coalition with Samdech Norodom Sihanouk as President of Democratic Kampuchea,

Taking note of Economic and Social Council decision 1985/155 of 30 May 1985 on the right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation,

Greatly disturbed that the continued fighting and instability in Kampuchea have forced an additional large number of Kampuchean to flee to the Thai-Kampuchean border in search of food and safety,

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 lasting peace in South-East Asia and reduce the threat to international peace and security, there is an urgent need for the international community to find 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,

Reiterating its conviction that, after the comprehensive political settlement of the Kampuchean question through peaceful means, the States 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, 37/6, 38/3 and 39/5 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 on its activities during 1984-1985¹⁴ and requests that the Committee continue its work, pending the reconvening of the Conference;

¹¹ Report of the International Conference on Kampuchea, New York, 13-17 July 1981 (United Nations publication, Sales No. E.81.I.20), annex I.

¹² *Ibid.*, annex II.

¹³ A/40/759.

¹⁴ A/CONF.109/9.

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 1 (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 humanitarian organizations, national and international, that have rendered relief assistance to the Kampuchean people, and appeals to them to continue to provide emergency assistance to those Kampucheans 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 States 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 forty-first session on the implementation of the present resolution;

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

63rd plenary meeting
5 November 1985

40/8. 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 1984,¹⁵

Taking note of the statement of the Director General of the International Atomic Energy Agency of 31 October 1985,¹⁶ which provides additional information on the main development of the Agency's activities during 1985,

Recognizing the importance of the work of the Agency to promote further the application of nuclear energy for peaceful purposes, as envisaged in its Statute,

Also recognizing the special needs of the developing countries for technical assistance by the Agency in order to enlarge the contribution of nuclear energy and its applications to their economic development,

Conscious of the importance of the work of the Agency in the implementation of the safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons¹⁷ 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 purposes, as stated in article II of its Statute,

Recognizing the importance of the work of the Agency on nuclear power, nuclear safety, radioactive waste management, radiological protection and, in particular, of its work directed towards assisting developing countries in planning for the introduction of nuclear power in accordance with their needs,

Noting that the General Conference of the International Atomic Energy Agency at its twenty-ninth regular session approved the reappointment by the Board of Governors of the Agency of Mr. Hans Blix as Director General of the Agency for a further term of four years, commencing on 1 December 1985,

Bearing in mind resolutions GC(XXIX)/RES/442, GC(XXIX)/RES/443 and GC(XXIX)/RES/444, adopted on 27 September 1985 by the General Conference of the Agency at its twenty-ninth regular session,

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

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

3. *Urges* all States to strive for effective and harmonious international co-operation in carrying out the work of the International Atomic Energy Agency, pursuant to 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 and efficiency of the Agency's safeguards system;

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

69th plenary meeting
8 November 1985

¹⁵ International Atomic Energy Agency, *The Annual Report for 1984* (Austria, July 1985) (GC(XXIX)/748 and Corr.1); transmitted to the members of the General Assembly by a note of the Secretary-General (A/40/576 and Corr.1).

¹⁶ See *Official Records of the General Assembly, Fortieth Session, Plenary Meetings*, 56th meeting.

¹⁷ Resolution 2373 (XXII), annex.

- 40/9. Solemn appeal to States in conflict to cease armed action forthwith and to settle disputes between them through negotiations, and to States Members of the United Nations to undertake to solve situations of tension and conflict and existing disputes by political means and to refrain from the threat or use of force and from any intervention in the internal affairs of other States**

The General Assembly,

Deeply concerned at the persistence of armed conflicts, acts of aggression and situations of tension in different parts of the world, at the emergence of new sources of conflict and tension in international life and at the danger to the independence and security of States and to international peace and security posed by the threat or use of force in relations between States,

Convinced that all States should exert the utmost efforts to settle any conflict or dispute between them exclusively by peaceful means and that resorting to the threat or use of force against other States can only aggravate the international situation and make more difficult the solution of problems,

Considering that it is in the interest both of States involved in conflict and other States, and of the general cause of world peace and security, to put an end to armed conflicts and to encourage and assist the solution of problems through peaceful means,

Solemnly reaffirming, on the occasion of the fortieth anniversary of the United Nations, the resolute commitment of Member States to the purposes and principles of the Charter of the United Nations and the obligations which they assumed as Members of the Organization, in particular their commitment to refrain in international relations from the threat or use of force against the sovereignty, territorial integrity and political independence of any other State,

Reaffirming that all States shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered,

Recalling the inherent right of all States to individual or collective self-defence, as enshrined in Article 51 of the Charter,

Reaffirming the Manila Declaration on the Peaceful Settlement of International Disputes, approved by the General Assembly in its resolution 37/10 of 15 November 1982,

Considering that the question of the peaceful settlement of disputes should constitute a central concern of all States and of the United Nations,

1. *Addresses a solemn appeal* to States in conflict to put an end to armed action forthwith and to proceed to the settlement of their disputes by negotiations and other peaceful means;

2. *Calls upon* all States to comply fully and consistently with the obligations they have assumed, in accordance with the purposes and principles of the Charter of the United Nations, to resolve conflicts and disputes by peaceful means and to refrain from the threat or use of force and from any intervention in the internal affairs of other States;

3. *Invites* the Security Council, which has the primary responsibility for the maintenance of international peace and security, to act promptly in accordance with its functions under the Charter, in cases of conflict and dispute in

different regions of the world, by recommending appropriate procedures or methods of adjustment, including designation of representatives of the United Nations, with a view to settling disputes between States by peaceful means, eliminating situations of tension and conflict, and establishing relations based on understanding, co-operation and peace among all the States of the world;

4. *Reaffirms* the important role as conferred by the Charter on the General Assembly in the areas of the peaceful settlement of disputes and the maintenance of international peace and security;

5. *Encourages* the Secretary-General to play an active role within the scope of his functions under the Charter with a view to promoting efforts for the peaceful settlement of disputes and conflicts between States;

6. *Calls upon* Member States to make full use, in accordance with the Charter, of the framework provided by the United Nations for the peaceful settlement of disputes and international problems;

7. *Appeals* to Member States to act resolutely, in view of the purposes and principles of the Charter and in accordance with their duties as Members, in order that the Organization may harmonize the combined efforts of States aimed at strengthening world peace and security, solving the major issues confronting humanity and ensuring conditions for the free and independent development of all peoples.

*69th plenary meeting
8 November 1985*

40/10. Programme of the International Year of Peace

The General Assembly,

Recalling its resolutions 37/16 of 16 November 1982, 38/56 of 7 December 1983 and 39/10 of 8 November 1984 on the International Year of Peace,

Recalling also the solemn Proclamation of the International Year of Peace approved on 24 October 1985,¹⁸ the fortieth anniversary of the United Nations, by which it called upon all peoples to join with the United Nations in resolute efforts to safeguard peace and the future of humanity,

Aware that in the nuclear age the establishment of a lasting peace on Earth constitutes the primary condition for the preservation of civilization and the survival of mankind,

Welcoming the contributions made to the Voluntary Fund for the Programme of the International Year of Peace,

Taking note of the report of the Secretary-General on the regional seminars,¹⁹ which served to increase awareness in each region of the need to take effective steps to promote peace and also contributed towards the preparations for the Year,

Taking note also of the report of the Secretary-General on the activities undertaken in the implementation of General Assembly resolution 39/10²⁰ and the final version of the draft programme of the International Year of Peace annexed thereto,

1. *Welcomes* the efforts of Member States to achieve substantive results in fulfilling the objectives of the International Year of Peace and to express the common aspiration of peoples for peace;

¹⁸ Resolution 40/3, annex.

¹⁹ A/40/524.

²⁰ A/40/669 and Add.1.

2. *Invites* Member States, as well as organs and subsidiary bodies of the United Nations, intergovernmental and non-governmental organizations, educational, scientific, cultural and research institutions and the communication media to commemorate the International Year of Peace in the most appropriate form, highlighting, *inter alia*, the role of the United Nations in the promotion and maintenance of international peace and security;

3. *Decides* to convene a second pledging conference during the first quarter of 1986 so that Member States which have not yet announced their contributions may have an opportunity to do so;

4. *Requests* the Secretary-General, on the basis of the Voluntary Fund for the Programme of the International Year of Peace, to assist in the commemoration of the Year and to ensure the widest possible dissemination of information about the Year and its objectives;

5. *Emphasizes* the importance of continuing the co-ordination and co-operation established among United Nations programmes and activities related to the promotion of the International Year of Peace;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the programme of the International Year of Peace;

7. *Decides* to include in the provisional agenda of its forty-first session the item entitled "International Year of Peace".

70th plenary meeting
11 November 1985

40/11. Right of peoples to peace

The General Assembly,

Bearing in mind that the year 1986 was proclaimed the International Year of Peace,

Recalling that the principal aim of establishing the United Nations forty years ago, as enshrined in the Charter, was to save succeeding generations from the scourge of war,

Reaffirming the strong resolve of peoples to maintain and strengthen international peace and security,

Recalling its Declaration on the Right of Peoples to Peace, approved on 12 November 1984,²¹

Recalling further that, pursuant to the Declaration, all States and international organizations are urged to do their utmost to contribute to the implementation of the right of peoples to peace,

Bearing in mind that peace is an inalienable right of every human being and that, in the Proclamation of the International Year of Peace approved on 24 October 1985,¹⁸ the General Assembly, having reaffirmed that peace constitutes a universal ideal, called upon all peoples to join with the United Nations in resolute efforts to safeguard peace and the future of humanity,

Taking note of the programme for the International Year of Peace,²²

1. *Calls upon* all States and international organizations to do their utmost to implement the provisions of the Declaration on the Right of Peoples to Peace;

2. *Requests* the Secretary-General, when submitting his report on the implementation of the programme for the International Year of Peace, to report on the measures taken by Member States and international organizations in

the implementation of the Declaration on the Right of Peoples to Peace.

70th plenary meeting
11 November 1985

40/12. 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, 37/37 of 29 November 1982, 38/29 of 23 November 1983 and 39/13 of 15 November 1984,

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,²³ 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;

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 hard-

²¹ Resolution 39/11, annex.

²² A/40/669 and Add.1, annex 1.

²³ A/40/709-S/17527. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for October, November and December 1985*, document S/17527.

ship 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 forty-first session the item entitled "The situation in Afghanistan and its implications for international peace and security".

74th plenary meeting
13 November 1985

40/13. International relief to Colombia

The General Assembly,

Deeply distressed by the loss of lives, the number of afflicted persons and the enormous destruction wrought by the volcanic activity of Nevado del Ruiz, affecting areas of the departments of Caldas, Tolima and Valle del Cauca in Colombia,

Noting the efforts of the Government and people of Colombia to save lives and alleviate the sufferings of the victims of this natural disaster,

Considering the enormous effort that will be required to alleviate the grave situation caused by this natural disaster,

Recognizing that the magnitude of the catastrophe and its effects will require, as a complement to the effort being made by the people and Government of Colombia, a demonstration of international solidarity to ensure the necessary multilateral co-operation in order to meet the immediate emergency in the affected areas, as well as to undertake the task of reconstruction,

1. *Expresses its solidarity and support* to the Government and people of Colombia in this tragedy;

2. *Expresses its appreciation* to the States, international and regional agencies, non-governmental organizations and individuals providing emergency relief to Colombia;

3. *Calls upon* the Governments of the Member States to contribute generously to the relief and reconstruction efforts in the affected areas and, to the extent possible, to channel their assistance through the United Nations system;

4. *Requests* the Secretary-General to mobilize resources in order to assist in the relief and reconstruction task of the Government of Colombia;

5. *Also requests* the Secretary-General to co-ordinate the multilateral assistance and, in consultation with the

Government of Colombia, to determine the emergency and reconstruction needs of the affected areas.

79th plenary meeting
15 November 1985

40/19. 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, 36/64 of 27 November 1981 and 38/34 of 25 November 1983,

Recalling also the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,²⁴ 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,²⁵

Noting with satisfaction that following its appeal other Member States have become parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,

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 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 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 uni-

²⁴United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Sixteenth Session*, vol. 1, *Resolutions*, p. 135.

²⁵A/40/344.

versal cultural values through fruitful co-operation between developed and developing countries;

3. *Recommends* that Member States adopt or strengthen the necessary protective legislation with regard to their own heritage and that of other peoples;

4. *Invites* Member States to continue drawing 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;

5. *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;

6. *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;

7. *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;

8. *Endorses* the opinion expressed at the World Conference on Cultural Policies, held at Mexico City from 26 July to 6 August 1982, 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;²⁶

9. *Welcomes* the steady increase in the number of States parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;

10. *Invites once again* those Member States that have not yet done so to sign and ratify the Convention;

11. *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 forty-second session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its forty-second session the item entitled "Return or restitution of cultural property to the countries of origin".

87th plenary meeting
21 November 1985

40/20. 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,²⁷

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 39/8 of 8 November 1984, and its resolution 39/29 of 3 December 1984 on the critical economic situation in Africa and the Declaration annexed thereto,

Taking note of the relevant resolutions, decisions and declarations adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session and by the Assembly of Heads of State and Government of that organization at its twenty-first ordinary session, which were held at Addis Ababa from 10 to 17 July and from 18 to 20 July 1985, respectively,²⁸

Taking note also 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,

Noting, in particular, the Declaration on the Economic Situation in Africa and Africa's Priority Programme for Economic Recovery 1986-1990, annexed thereto, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first session,²⁹ which was devoted mainly to the critical economic situation in Africa,

Considering the important statement by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity of 21 October 1985,³⁰ particularly with regard to the critical economic situation in Africa as well as other matters of concern to the two organizations,

Gravely concerned about the serious and deteriorating economic situation in Africa, in particular the effects of the prolonged drought, desertification and the adverse effects of the international economic environment on the African States,

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 1980,³¹

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

Gravely concerned 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 cope with the situation caused by the acts of aggression committed against their territories by the *apartheid* régime of South Africa,

Deeply concerned at the gravity of the situation of the refugees in Africa and the urgent need for increased international assistance to help African countries of asylum cope with the heavy social, economic and administrative burden imposed on their fragile economies,

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 grave situation prevailing in southern Africa as well as the social and economic problems and the needs of African States and their regional and subregional institutions,

²⁶ See A/38/456, p. 12, para. 17.

²⁷ A/40/536.

²⁸ See A/40/666.

²⁹ *Ibid.*, annex I, declaration AHG/Decl.1 (XXI).

³⁰ See *Official Records of the General Assembly, Fortieth Session, Plenary Meetings*, 42nd meeting.

³¹ A/S-11/14, annex I.

Aware of the need for continuous liaison, consultations on matters of common concern, 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,

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 and continued 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 organizations of the United Nations system in support of those efforts;

4. 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 and Africa's Priority Programme for Economic Recovery 1986-1990, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first session, in the implementation of the International Development Strategy for the Third United Nations Development Decade;³²

5. Calls upon all Member States and regional and international organizations, in particular those of the United Nations system, to implement fully General Assembly resolution 39/29 on the critical economic situation in Africa and the Declaration annexed thereto;

6. Also calls upon all Member States, and regional and international organizations, in particular those of the United Nations system, to give their maximum support to Africa's Priority Programme for Economic Recovery 1986-1990;

7. 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, in particular to General Assembly resolution 39/29 on the critical economic situation in Africa and the Declaration annexed thereto;

8. Expresses its appreciation to the Secretary-General for the timely initiative he has taken to alert the international community to the critical economic and social situation in Africa and welcomes the measures he has taken to facilitate international co-operation and co-ordination to assist Africa, in particular through the establishment of the Office for Emergency Operations in Africa;

9. Commends the Office for Emergency Operations in Africa for its efforts to sensitize the international community to the emergency situation in Africa, to co-ordinate the efforts of the international community and to monitor the situation in the affected African countries;

10. Expresses its appreciation to donor countries, the European Economic Community and other intergovernmental and non-governmental organizations for their participation in the round table and consultative groups and

for their response to the emergency food situation in Africa;

11. Expresses its appreciation also to the United Nations Development Programme, 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, the United Nations Children's Fund and the United Nations High Commissioner for Refugees for the assistance so far rendered to the African States in dealing with the emergency situation as well as with the critical economic problems that exist on the African continent;

12. 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 and other disasters, by implementing fully General Assembly resolution 39/29 and Africa's Priority Programme for Economic Recovery 1986-1990;

13. Invites the Secretary-General to continue his commendable efforts in alerting and sensitizing the international community to the plight of African countries, in mobilizing additional assistance to Africa, in co-ordinating the activities of the United Nations system in Africa, and in monitoring the situation and presenting periodic reports thereon;

14. 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, as well as for the front-line States and other independent States of southern Africa, to help them cope with the situation caused by the acts of aggression committed against their territories by the apartheid régime of South Africa;

15. Expresses its appreciation to the World Bank, the United Nations Development Programme and other interested international financial institutions for their response to the critical economic situation in Africa as well as their assistance in the organization of round table and donor conferences in favour of the least developed countries of Africa, as well as in the implementation of those special programmes of economic assistance;

16. Requests the Secretary-General to continue 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 continue to co-ordinate efforts with all similar programmes initiated by that organization;

17. Calls upon the international community to provide generous assistance on a long-term basis to all African States affected by the economic crisis, particularly those suffering calamities such as drought and flood, in accordance with General Assembly resolution 39/29 and Africa's Priority Programme for Economic Recovery 1986-1990;

18. 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;

19. Requests the Secretary-General 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

³² Resolution 35/56, annex.

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

21. *Reaffirms* its willingness to co-operate with the Organization of African Unity and its organs in the implementation of resolutions and decisions of mutual concern;

22. *Calls upon* the competent organs, specialized agencies and other organizations of the United Nations system to continue 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;

23. *Urges* all Member States and regional and international organizations, in particular those of the United Nations system, and non-governmental organizations to provide material and economic assistance to help African countries of asylum cope with the heavy burden imposed on their limited resources and weak infrastructures by the presence of large numbers of refugees;

24. *Invites* Member States and regional and international organizations, in particular those of the United Nations system, and non-governmental organizations to contribute generously and effectively to the implementation of the Declaration and Programme of Action of the Second International Conference on Assistance to Refugees in Africa;³³

25. *Calls upon* United Nations organs — 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;

26. *Requests* the Secretary-General to ensure that adequate facilities continue to be made available to facilitate continued liaison and consultations on matters of common interest as well as for the provision of technical assistance to the General Secretariat of the Organization of African Unity, as required;

27. *Also requests* the Secretary-General, in consultation with the Secretary-General of the Organization of African Unity, to arrange the date and venue 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;

28. *Further requests* the Secretary-General to report to the General Assembly at its forty-first 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.

*87th plenary meeting
21 November 1985*

40/21. Question of the Falkland Islands (Malvinas)³⁴

The General Assembly,

Having considered the question of the Falkland Islands (Malvinas) and having received the report of the Secretary-General,³⁵

Aware of the interest of the international community in the peaceful and definitive settlement by the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland of all their differences, in accordance with the Charter of the United Nations,

Taking note of the interest repeatedly expressed by both parties in normalizing their relations,

Convinced that such purpose would be facilitated by a global negotiation between both Governments that will allow them to rebuild mutual confidence on a solid basis and to resolve the pending problems, including all aspects on the future of the Falkland Islands (Malvinas),

1. *Requests* the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to initiate negotiations with a view to finding the means to resolve peacefully and definitively the pending problems between both countries, including all aspects on the future of the Falkland Islands (Malvinas), in accordance with the Charter of the United Nations;

2. *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;

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

4. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Question of the Falkland Islands (Malvinas)".

*95th plenary meeting
27 November 1985*

40/40. Critical economic situation in Africa

The General Assembly,

Recalling its resolution 39/29 of 3 December 1984, and the Declaration on the Critical Economic Situation in Africa annexed thereto,

Noting the Declaration on the Economic Situation in Africa and Africa's Priority Programme for Economic Recovery 1986-1990, annexed thereto, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first ordinary session, held at Addis Ababa from 18 to 20 July 1985,²⁹

Noting further Economic and Social Council resolution 1985/80 of 26 July 1985,

Having considered the report of the Secretary-General on the critical economic situation in Africa,³⁶

Expressing its appreciation to the international community and the United Nations system for their positive response to the emergency situation in Africa and recognizing the need to continue to extend that support to fulfil unmet emergency needs,

Commending the Secretary-General for his continuing efforts in ensuring that the emergency assistance by the United Nations system and the international community is delivered to affected countries in a concerted manner,

³³ A/39/402, annex.

³⁴ See also sect. I, footnote 7, and sect. X.B.6, decision 40/410.

³⁵ A/40/891.

³⁶ A/40/372-E/1985/104 and Add.1 and 2.

Gravely concerned that, even if the current emergency situation is alleviated, the structural economic problems will continue to cripple African economies and might precipitate recurrent crises,

Alarmed by the forecasts that indicate for Africa stagnant or negative growth rates, declining per capita food production, escalating debt burden and the serious effects of drought and desertification,

Recognizing fully the need to focus attention and efforts on the rehabilitation and medium-term and long-term development problems of the African countries,

1. *Takes note* of the Declaration on the Economic Situation in Africa and Africa's Priority Programme for Economic Recovery 1986-1990, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first session;

2. *Decides* to convene a special session of the General Assembly at the ministerial level to consider in depth the critical economic situation in Africa, to be held in New York from 27 to 31 May 1986;

3. *Decides also* that the special session of the General Assembly on the critical economic situation in Africa should focus, in a comprehensive and integrated manner, on the rehabilitation and medium-term and long-term development problems and challenges facing African countries, with a view to promoting and adopting action-oriented and concerted measures;

4. *Decides further* to establish a Preparatory Committee of the Whole for the Special Session of the General Assembly on the Critical Economic Situation in Africa that would undertake the necessary preparations to ensure the success of the session;

5. *Requests* the Secretary-General to take appropriate measures to facilitate the work of the Preparatory Committee;

6. *Further requests* the Secretary-General, in close co-operation with the relevant organs, organizations and bodies of the United Nations system, to submit to the Preparatory Committee and to the General Assembly at its special session reports containing action-oriented proposals to deal with the critical economic situation in Africa, particularly the major developmental areas identified in the Declaration on the Critical Economic Situation in Africa annexed to Assembly resolution 39/29, taking fully into account the priorities set by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first session;

7. *Commends* the international community for its valuable support and positive response to the emergency situation in Africa, and appeals to it to continue these efforts and to give its support for the full implementation of resolution 39/29 and the Declaration annexed thereto;

8. *Commends* the Secretary-General for his valuable efforts in ensuring the co-ordinated response of the United Nations system and the international community to the emergency situation in Africa;

9. *Requests* the Secretary-General, in implementing resolution 39/29 and the Declaration annexed thereto, to continue to monitor the emergency situation, to assess the needs and responses, to maintain the system's capacity to respond to the continuing emergency in the affected countries, and to report to the General Assembly at its forty-first session.

98th plenary meeting
2 December 1985

40/56. Twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

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

Having held, in the year of the fortieth anniversary of the United Nations, a special plenary meeting in observance of the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples,³⁷

Recalling the provisions of the Charter of the United Nations, in which the peoples of the world proclaimed 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 promote social progress and better standards of life in larger freedom,

Recalling also the relevant 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,³⁸

Recalling its resolutions 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration,

Considering that the process of national liberation is irresistible and irreversible, and recalling that the Declaration solemnly proclaimed the necessity speedily and unconditionally to put an end to colonialism in all its forms and manifestations,

Recognizing the significant and commendable role played by the United Nations, since its very inception, in the field of decolonization and noting the emergence, during this period, of about one hundred States into sovereign existence,

Noting with satisfaction, in particular, that during the past twenty-five years a large number of former colonial Territories have achieved independence, mainly through the courageous liberation struggle carried out by the peoples of those countries, led by their national liberation movements, and that many former Trust and Non-Self-Governing Territories have exercised their right to self-determination and independence in accordance with the Declaration,

Noting also with satisfaction the important contribution made by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in furthering the aims and objectives of the Declaration with a view to the liberation of peoples from colonial rule,

Noting further with satisfaction the active and important role being played by former colonial Territories, as States Members of the United Nations and members of the other organizations of the United Nations system in the realization of the purposes and principles of the Charter, the preservation of international peace and security, decolonization and the promotion of human progress, as well as the profound impact thereof on contemporary international relations,

³⁷ Official Records of the General Assembly, Fortieth Session, Plenary Meetings, 36th meeting.

³⁸ Resolution 2625 (XXV), annex.

Conscious of the fact that the Declaration has played an important role in assisting the peoples under colonial rule and will continue to serve as an inspiration in their efforts to achieve self-determination and independence in accordance with the Charter and in mobilizing world public opinion for the complete elimination of colonialism in all its forms and manifestations,

Deeply concerned at the fact that, twenty-five years after the adoption of the Declaration, colonialism in the world has not yet been totally eradicated, particularly in Namibia,

Strongly condemning the continuing illegal occupation of Namibia and the colonial oppression of its people by the racist régime of Pretoria, which completely disregards the inalienable right of the people of Namibia to self-determination and independence,

Reaffirming that all peoples have the right to self-determination and independence and that the subjection of peoples to colonial domination constitutes a denial of fundamental human rights and is a serious impediment to the maintenance of international peace and security and the development of peaceful relations among nations,

Increasingly aware of the importance of economic, social and cultural development and self-reliance of colonial countries and peoples for the attainment and consolidation of genuine independence,

Convinced that the total eradication of racial discrimination, *apartheid* and violations of the basic human rights of the peoples in the remaining colonial Territories, particularly in Namibia, will be achieved peacefully and most expeditiously by the faithful and complete implementation of the Declaration,

Determined to take effective measures leading to the complete and unconditional elimination of colonialism in all its forms and manifestations without further delay,

1. *Reaffirms* the inalienable right of all peoples under colonial rule to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

2. *Declares* that the continuation of colonialism in all its forms and manifestations, including racism and *apartheid*, is incompatible with the Charter of the United Nations, the Declaration and the principles of international law;

3. *Expresses its conviction* that the twenty-fifth anniversary of the Declaration should provide an opportunity for Member States to rededicate themselves to the principles and objectives enunciated in that document and for concerted efforts to be made to remove the last vestiges of colonialism in all regions of the world;

4. *Strongly condemns* South Africa's continued illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its aggressive activities and acts of destabilization against neighbouring independent African States and its policies of *apartheid*, as well as its acquisition of nuclear-weapon capability, which constitute a threat to international peace and security;

5. *Calls upon* Member States, in particular colonial Powers, to take effective steps with a view to the complete, unconditional and speedy eradication of colonialism in all its forms and manifestations and to the faithful and strict observance of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights,³⁹ as well as other relevant resolutions and

decisions of the General Assembly and those of the Security Council;

6. *Urges* Member States to do their utmost to promote, in the United Nations and the specialized agencies and other organizations of the United Nations system, effective measures for the full and speedy implementation of the Declaration in all colonial Territories to which the Declaration applies;

7. *Calls upon* Member States to render, as a matter of urgency, all moral and material assistance to the peoples under colonial rule in their struggle to exercise their right to self-determination and independence, in accordance with the Charter and the Declaration;

8. *Urges* the administering Powers and other Member States to ensure that the activities of foreign economic and other interests in colonial Territories do not run counter to the interests of the inhabitants of those Territories and do not impede the implementation of the Declaration;

9. *Requests* Member States to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that illegally own and operate enterprises, including transnational corporations, in the international Territory of Namibia in order to put an end to such operations;

10. *Urges* Member States to discontinue all economic, financial, trade and other relations with the racist minority régime of South Africa in respect of Namibia and to refrain from entering into any relations with South Africa which may lend legitimacy or support to its continued illegal occupation of that Territory;

11. *Requests* Member States, as well as the organizations of the United Nations system, to ensure that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

12. *Reaffirms* that all administering Powers are obliged, under the Charter and in accordance with the Declaration, to create economic, social and other conditions in the Territories under their administration which will enable those Territories to achieve genuine independence and economic self-reliance;

13. *Requests* the administering Powers concerned to adopt the necessary measures to discourage or prevent any systematic influx of immigrants and settlers into the Territories under their administration which might disrupt the demographic composition of those Territories and prevent the genuine exercise of the right to self-determination and independence by their peoples, and to avoid any forced displacement, complete or partial, of the population of colonial Territories;

14. *Further requests* the administering Powers to preserve the cultural identity, as well as the national unity, of the Territories under their administration and to encourage the full development of the indigenous culture, with a view to facilitating the unfettered exercise of the right to self-determination and independence by the peoples of those Territories;

15. *Reaffirms its strong conviction* that the presence of all kinds of military bases and installations in colonial Territories could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Powers concerned to ensure that the existence of such bases and installations does not hinder the peoples of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter and the Declaration;

³⁹ Resolution 217 A (III).

16. *Calls upon* the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in the Territories under their administration;

17. *Requests* Member States, in particular the administering Powers, to adopt appropriate measures to prevent the recruitment, financing, training and transit of mercenaries in their territories for use against the national liberation movements struggling for freedom and independence from the yoke of colonialism, racism and *apartheid*;

18. *Considers* it incumbent upon the United Nations to continue to play an active role in the process of decolonization and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

19. *Urges* Member States to ensure the full and speedy implementation of the Declaration contained in General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

20. *Invites* the Security Council to continue to give special attention to the situation in and around Namibia and to consider imposing mandatory sanctions against South Africa under Chapter VII of the Charter;

21. *Requests* the specialized agencies and other organizations of the United Nations system to render, or continue to render, within their respective spheres of competence, all possible moral and material assistance to the peoples of the colonial Territories and to their national liberation movements, to take measures to withhold from the *apartheid* régime of South Africa any form of collaboration or assistance in the financial, economic and technical fields and to discontinue all support to that régime until the people of Namibia have exercised their right to self-determination and independence in a united Namibia and until *apartheid* has been eradicated and a non-racial, united and democratic State based on the will of all South African people has been established in accordance with the relevant resolutions and decisions of the General Assembly and the Security Council;

22. *Invites* non-governmental organizations having a special interest in the field of decolonization to intensify their activities in co-operation with the United Nations;

23. *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 examine the full compliance of all States with resolution 1514 (XV) and other relevant resolutions on the question of decolonization, to seek the most suitable ways for the speedy and total application of the Declaration to all Territories to which it applies and to propose to the General Assembly specific measures for the complete implementation of the Declaration in the remaining colonial Territories;

24. *Invites* all States to co-operate fully with the Special Committee in the complete fulfilment of its mandate.

99th plenary meeting
2 December 1985

⁴⁰ Official Records of the General Assembly, Fortieth Session, Supplement No. 23 (A/40/23).

⁴¹ *Ibid.*, chap. IX, para. 12.

40/57. 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,⁴⁰

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 39/91 of 14 December 1984, as well as the relevant resolutions of the Security Council,

Having adopted resolution 40/56 of 2 December 1985 on the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

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 régime therefrom,

Recalling the consensus on Namibia, adopted by the Special Committee at its extraordinary session held at Tunis from 13 to 17 May 1985⁴¹ and the relevant provisions of the Declaration and Programme of Action contained in the Final Document adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Vienna from 3 to 7 June 1985,⁴²

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 last 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,

Noting with satisfaction the work accomplished by the Special Committee with a view to securing the effective

⁴² *Ibid.*, Supplement No. 24 (A/40/24), para. 513.

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,

Keenly aware of the pressing need 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 resolution 1514 (XV) 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*, those activities of foreign economic and other interests contrary to the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as the violations of the right to self-determination and basic human rights of the peoples of colonial Territories and continuous policies and practices to suppress legitimate national liberation movements — is incompatible with the Charter, the Universal Declaration of Human Rights⁴³ 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 1985, including the programme of work envisaged for 1986;⁴³

6. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system within their respective spheres of competence, to give effect to the recommendations contained in the report of the Special Committee for the speedy implementation of the Declaration contained in General Assembly resolution 1514 (XV) and 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 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, to refrain from establishing new ones and not to involve those Territories in any offensive acts or interference against other States;

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 forty-first 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 resolution 1514 (XV) and other relevant resolutions on decolonization, particularly those relating to Namibia;

(d) To continue to pay special attention to the small Territories, in particular through the dispatch of visiting missions to those Territories whenever the Special Committee deems it 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 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

⁴³ *Ibid.*, Supplement No. 23 (A/40/23), chap. I, sect. S.

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.

99th plenary meeting
2 December 1985

40/58. Dissemination of information on decolonization

The General Assembly,

Having examined the 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 relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,⁴⁴

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 39/92 of 14 December 1984,

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,

1. *Approves* the 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 relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization;

2. *Considers* it incumbent upon the United Nations to continue to play an active role in the process of self-determination and independence and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

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 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;

(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, with the close co-operation of United Nations information centres, 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 to that end;

(g) To report to the Special Committee on the measures taken in implementation of the present resolution;

4. *Requests* all States, in particular the administering Powers, 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 forty-first session.

99th plenary meeting
2 December 1985

40/60. 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, 37/8 of 29 October 1982, 38/37 of 5 December 1983 and 39/47 of 10 December 1984,

Having considered the report of the Secretary-General on the state of co-operation between the United Nations and the Asian-African Legal Consultative Committee,⁴⁵

Having heard the report of the Secretary-General of the Asian-African Legal Consultative Committee on the steps taken by the Committee to ensure continuing, close and effective co-operation between the two organizations,⁴⁶

1. *Takes note with appreciation* of the report of the Secretary-General;⁴⁵

2. *Notes with satisfaction* the further progress achieved towards strengthening the existing co-operation between the United Nations and the Asian-African Legal Consultative Committee;

3. *Takes note with appreciation* of the study on the strengthening of the role of the United Nations prepared by the Asian-African Legal Consultative Committee on the occasion of the fortieth anniversary of the United

⁴⁴ *Ibid.*, chaps. II and III.

⁴⁵ A/40/743.

⁴⁶ See *Official Records of the General Assembly, Fortieth Session, Plenary Meetings*, 108th meeting.

Nations,⁴⁷ as well as the study on the role of the International Court of Justice⁴⁸ and other efforts of the Committee in the continuation of its programme of support to the work of the United Nations in several areas;

4. *Requests* the Secretary-General to submit to the General Assembly at its forty-first 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 forty-first session the item entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee".

108th plenary meeting
9 December 1985

40/62. 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, 37/65 of 3 December 1982, 38/13 of 21 November 1983 and 39/48 of 11 December 1984, 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,

Convinced further that a speedy solution of the problem is essential for the preservation of the peace and security which prevail in the region,

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

Taking note of the repeated wish of the Government of the Comoros to initiate as soon as possible a frank and serious dialogue with the French Government with a view to accelerating the return of the Comorian island of Mayotte to the Islamic Federal Republic of the Comoros,

Taking note of the report of the Secretary-General,⁴⁹

Bearing in mind the decisions of the Organization of African Unity, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference on 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 seek actively a just solution to the question of Mayotte;

4. *Urges* the Government of France to open 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 maintain continuous contact with the Secretary-General of the Organization of African Unity with regard to this problem and to make available his good offices in the search for a peaceful negotiated solution to the problem;

6. *Further requests* the Secretary-General to report on this matter to the General Assembly at its forty-first session;

7. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Question of the Comorian island of Mayotte".

109th plenary meeting
9 December 1985

40/63. Law of the sea

The General Assembly,

Recalling its resolutions 37/66 of 3 December 1982, 38/59 A of 14 December 1983 and 39/73 of 13 December 1984, regarding the law of the sea,

Taking note of the increasing and overwhelming support for the United Nations Convention on the Law of the Sea,⁵⁰ as evidenced, *inter alia*, by the one hundred and fifty-nine signatures as of 9 December 1984, the closing date for signature, and twenty-four of the sixty ratifications or accessions required for entry into force of the Convention,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, as well as the resources of the area, are the common heritage of mankind,

Recalling that the Convention provides the régime to be applied to the Area and its resources,

Further recalling the Declaration adopted by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on 30 August 1985,⁵¹

Seriously concerned at any attempt to undermine the Convention and the related resolutions adopted at the Third United Nations Conference on the Law of the Sea,⁵²

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 related resolutions adopted therewith and to refrain from any action to apply

⁴⁷ A/40/726 and Corr.1, annex.

⁴⁸ A/40/682, annex.

⁴⁹ A/40/619.

⁵⁰ *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

⁵¹ LOS/PCN/72; see also A/40/923, paras. 109-112, on the Declaration and the Chairman's statement at its adoption.

⁵² *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/121, annex I.

their provisions selectively, in a manner inconsistent with their object and purpose,

Emphasizing the need for States to ensure consistent application of the Convention, as well as the need for harmonization of national legislation with the provisions of the Convention,

Recognizing also the need for co-operation in the early and effective implementation by the Preparatory Commission of resolution II of the Third United Nations Conference on the Law of the Sea,⁵²

Noting the increasing needs of countries, especially developing countries, for information, advice and assistance in the implementation of the Convention and in their developmental process for the full realization of the benefits of the comprehensive legal régime established by the Convention,

Noting also that the Preparatory Commission has decided to hold its fourth regular session at Kingston from 17 March to 11 April 1986 and its summer meeting in 1986 at Geneva, Kingston or New York as it may decide,⁵³

Taking note of activities carried out in 1985 under the major programme on marine affairs, set forth in chapter 25 of the medium-term plan for the period 1984-1989,⁵⁴ in accordance with the report of the Secretary-General⁵⁵ as approved in General Assembly resolution 38/59 A,

Recognizing that the United Nations Convention on the Law of the Sea encompasses all uses and resources of the oceans and that all related activities within the United Nations system need to be implemented in a manner consistent with it,

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 prepared in response to paragraph 10 of General Assembly resolution 39/73,⁵⁶

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 increasing number of ratifications deposited with the Secretary-General;

3. *Calls upon* all States that have not done so to consider ratifying or acceding to 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 related resolutions adopted therewith;

5. *Takes note* of the Declaration adopted by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on 30 August 1985;

6. *Calls upon* States to desist from taking actions which undermine the Convention or defeat its object and purpose;

7. *Calls upon* States to observe the provisions of the Convention when enacting their national legislation;

8. *Calls* for an early adoption of the rules for registration of pioneer investors in order to ensure the effective implementation of resolution II of the Third United Nations Conference on the Law of the Sea, including the registration of pioneer investors;

9. *Expresses its appreciation* for the effective execution by the Secretary-General of the central programme in law of the sea affairs under chapter 25 of the medium-term plan for the period 1984-1989;

10. *Further expresses its appreciation* for the report of the Secretary-General prepared in response to General Assembly resolution 39/73 and requests him to continue to carry out the activities outlined therein, as well as those aimed at the strengthening of the new legal régime of the sea, 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, including the implementation of resolution II of the Third United Nations Conference on the Law of the Sea;

11. *Approves* the programme of meetings of the Preparatory Commission for 1986;⁵³

12. *Calls upon* the Secretary-General to continue to assist States in the implementation of the Convention and in the development of a consistent and uniform approach to the new legal régime thereunder, as well as in their national, subregional and regional efforts towards the full realization of the benefits therefrom and invites the organs and organizations of the United Nations system to cooperate and lend assistance in these endeavours;

13. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on developments relating to the Convention and on the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Law of the sea".

110th plenary meeting
10 December 1985

40/64. Policies of apartheid of the Government of South Africa⁵⁷

A

COMPREHENSIVE SANCTIONS AGAINST THE RACIST RÉGIME OF SOUTH AFRICA

The General Assembly,

Recalling and reaffirming its resolution 39/72 A of 13 December 1984,

Recalling its relevant resolutions and those of the Security Council calling for concerted international action to force the racist régime to start eliminating *apartheid* by putting an immediate end to repressive practices against the black majority, releasing all political prisoners, abrogating all racist laws and regulations, dismantling bantustans and finding a political solution to the crisis in South Africa through the full participation of the black majority in determining their future,

Taking note of the declarations adopted at the following meetings organized by the Special Committee against *Apartheid*:

(a) The special session of the Committee in commemoration of the twenty-fifth anniversary of the Sharpeville massacre, held at Headquarters on 22 March 1985,⁵⁸

(b) The International Conference on Women and Children under *Apartheid*, held at Arusha, United Republic of Tanzania, from 7 to 10 May 1985,⁵⁹

⁵⁷ See also sect. I, footnote 9, and sect. X.B.3, decision 40/407.

⁵⁸ A/40/213 and Corr.1, annex.

⁵⁹ A/40/319-S/17197, annex.

⁵³ See A/40/923, para. 108.

⁵⁴ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 6A (A/37/6/Add.1), annex II.*

⁵⁵ A/38/570 and Corr.1 and Add.1 and Add.1/Corr.1.

⁵⁶ A/40/923.

(c) The International Conference on Sports Boycott against South Africa, held in Paris from 16 to 18 May 1985,⁶⁰

(d) The International Seminar on Racist Ideologies, Attitudes and Organizations Hindering Efforts for the Elimination of *Apartheid* and on Means to Combat Them, held at Siofok, Hungary, from 9 to 11 September 1985,⁶¹

Gravely concerned about the breaches of peace and the threat to international peace and security resulting from the escalation of violence against the oppressed people of South Africa by the *apartheid* régime, its acts of aggression against neighbouring African independent States and its continued occupation of Namibia,

Deeply shocked by the policy of extermination carried out by the racist régime towards the black civilian population of South Africa,

Reaffirming that *apartheid* is a crime against humanity, which should be eliminated without any further delay, and that the United Nations has a primary responsibility to assist in efforts to eliminate this threat to international peace and security,

Reaffirming its support to the struggle of the people of South Africa for the exercise of their right to self-determination and for the establishment of a democratic, united and non-racial South Africa where all the people participate freely to determine their destiny,

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, would be the most appropriate and effective and peaceful 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,

Considering that political, economic, military, cultural and other forms of collaboration with the racist régime of South Africa bolster the régime in its attempt to break its international isolation, thus encouraging it to persist in its defiance of the world public opinion and to escalate its repression, aggression and destabilization,

Considering also that collaboration with the racist régime of South Africa, in particular in the political, economic, military and cultural fields, displays an utter insensitivity towards the prolonged suffering of the oppressed people of South Africa resulting from the criminal acts and policies of the racist régime of South Africa,

Expressing its grave concern at the continued violation of the arms embargo as well as nuclear collaboration by certain Western States and Israel with the racist régime of South Africa,

Deploring the attitude of those Western permanent members of the Security Council that have so far prevented the Council from adopting comprehensive and mandatory sanctions against South Africa under Chapter VII of the United Nations Charter,

Commending the Secretary-General for his efforts to ensure concerted action against *apartheid* by organizations within the United Nations system,

Taking note with appreciation of the resolution adopted on 27 September 1985 by the General Conference of the International Atomic Energy Agency on South Africa's nuclear capability,⁶²

Expressing its appreciation to Governments that have adopted measures and policies against collaboration with the *apartheid* régime of South Africa,

Welcoming action taken by legislators, municipalities and other government institutions as well as universities, churches, labour unions, student and women's groups and anti-*apartheid* movements to divest from corporations and financial institutions that are collaborating with South Africa,

Commending the decisions of those banks, financial institutions and other corporations that have withdrawn from South Africa and decided not to extend any loans or credits to it,

Urging Member States that have not yet done so to adopt legislative and other measures to ensure the total isolation of the racist régime of South Africa in political, military, nuclear, economic, cultural and other fields,

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

1. *Endorses* the report of the Special Committee against *Apartheid*,⁶³

2. *Commends* to the attention of all Governments and organizations the declarations adopted at the conferences and seminars organized or co-sponsored by the Special Committee;

3. *Strongly condemns* the racist régime of South Africa for its brutal oppression, repression and violence against the people of South Africa, its illegal occupation of Namibia and its repeated acts of aggression, subversion, terrorism and destabilization against independent African States;

4. *Condemns* the policies of "constructive engagement" and active collaboration with the *apartheid* régime followed by the Governments of certain Western and other States which give encouragement to the racist régime in its repression of the people's legitimate struggle, aggression against neighbouring States and defiance of the decisions and resolutions of the United Nations, and appeals to those Governments to abandon such policies and join in the concerted efforts to bring a speedy end to *apartheid*;

5. *Condemns* the activities of those transnational corporations and financial institutions that have continued political, economic, military and nuclear collaboration with the racist minority régime of South Africa ignoring repeated appeals by the General Assembly;

6. *Again declares* that it is the responsibility of the United Nations and the international community as a whole to assist the people of South Africa in eliminating *apartheid* through cessation of any form of collaboration with the régime;

7. *Again calls upon* the Security Council urgently to take action under Chapter VII of the Charter of the United Nations with a view to applying comprehensive and mandatory sanctions against South Africa and, in particular:

(a) To review the implementation of and to re-enforce the mandatory arms embargo against South Africa adopted by its resolution 418 (1977) of 4 November 1977;

(b) To strengthen the voluntary embargo on the imports of arms from South Africa adopted by its resolution 558 (1984) of 13 December 1984 by rendering it mandatory and extending it to cover the imports of related materials in addition to arms and ammunitions;

⁶⁰ A/40/343-S/17224, annex.

⁶¹ A/40/660-S/17477, annex.

⁶² See A/40/576 and Corr.1.

⁶³ Official Records of the General Assembly, Fortieth Session, Supplement No. 22 (A/40/22).

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

(d) To impose a total ban on all forms of nuclear collaboration with South Africa, including effective embargoes on the imports of South African and Namibian uranium and on the export and supply of nuclear material, equipment or technology to South Africa;

(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, particularly to the oil from coal industry;

(f) To prohibit financial loans and credits to and investment in South Africa;

(g) To ban all trade with South Africa;

8. *Requests* all States, individually and collectively, to take all appropriate measures to facilitate such action by the Security Council;

9. *Requests* all States that have not yet done so, pending action by the Security Council, to adopt legislative and/or other comparable measures to ensure the following:

(a) Strict implementation of the arms embargo against South Africa, including the prohibition of imports of arms from South Africa and the enactment of appropriate legislation to ensure such a ban;

(b) Prohibition of any form of collaboration with South Africa in the military and nuclear fields;

(c) Effective implementation of ban on all trade with South Africa, in particular, the sale of krugerrands and the import of gold, uranium, coal and other minerals;

(d) Prohibition of the supply of oil and oil products to South Africa as well as technology to its oil industry;

(e) Prohibition of financial loans and investments as well as the withdrawal of investment in South Africa;

(f) Speedy accession to or ratification of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*;⁶⁴

(g) Observance of sports, cultural, academic, consumer, tourism and other boycotts of South Africa;

10. *Requests* all States concerned to take action against corporations and other interests that violate the mandatory arms embargo against South Africa and those that are involved in the illicit supply to South Africa of oil and oil products in spite of the embargo imposed on the supply of oil and oil products to South Africa, as well as those who persist in collaboration with the *apartheid* régime;

11. *Calls upon* States and organizations to support United Nations action for total isolation of the *apartheid* régime of South Africa and to co-operate with the Special Committee against *Apartheid* for the achievement of this goal;

12. *Calls upon* all organizations within the United Nations system as well as other international organizations that have not yet done so to exclude forthwith the South African régime from their membership;

13. *Calls upon* the Economic Commission for Europe to discontinue all contacts with the racist régime of South Africa and to terminate all co-operation with it;

14. *Calls once again upon* the International Monetary Fund urgently to terminate credit and other assistance to the racist régime of South Africa;

15. *Calls upon* all organizations within the United Nations system to take all necessary measures:

(a) To withhold any facilities from or investments of any funds in banks, financial institutions and corporations that are doing business with South Africa;

(b) To refrain from purchasing directly or indirectly products of South African origin;

(c) To deny any contracts or facilities to corporations collaborating with South Africa and not to invest any money in them;

(d) To prohibit any official travel by South African Airways or South African shipping lines;

16. *Strongly supports* the movement against conscription into the armed forces of the racist régime of South Africa;

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

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

19. *Requests and authorizes* the Special Committee against *Apartheid* to redouble its efforts and intensify its activities for the total isolation of the *apartheid* régime, for promoting comprehensive and mandatory sanctions against South Africa and for mobilizing public opinion and encouraging public action against collaboration with South Africa;

20. *Further requests* the Special Committee to keep the matter of collaboration between South Africa and Israel and between South Africa and any other State under constant review and to report to the General Assembly and the Security Council as appropriate.

111th plenary meeting
10 December 1985

B

SITUATION IN SOUTH AFRICA AND ASSISTANCE TO THE LIBERATION MOVEMENTS

The General Assembly,

Having considered the report of the Special Committee against *Apartheid*,⁶⁵

Recalling its resolution 39/2 of 28 September 1984, in which, *inter alia*, it stated that South Africa's continued defiance of United Nations resolutions and its imposition of the rejected so-called "new constitution" will inevitably lead to further escalation of the already explosive situation in South Africa and will have far-reaching consequences for southern Africa and the world,

Recalling Security Council resolutions 473 (1980) of 13 June 1980, 554 (1984) of 17 August 1984, 556 (1984) of 23 October 1984 and 569 (1985) of 26 July 1985, in which it demanded, *inter alia*, the cessation of the uprootings, relocation and denationalization of the indigenous African people, and demanded the immediate lifting of the state of emergency in thirty-six districts in South Africa,

Recalling, in particular, its resolution 3411 C (XXX) of 28 November 1975, in which it proclaimed that the United Nations and the international community had a

⁶⁴ Resolution 3068 (XXVIII), annex.

special responsibility towards the oppressed people of South Africa and their national liberation movements,

Gravely concerned about the situation in South Africa, and in southern Africa as a whole, resulting from the policies and actions of the *apartheid* régime, in particular, its efforts to perpetuate and consolidate racist domination in the country, its policy of "bantustanization", its brutal repression of opponents of *apartheid* and its constant acts of aggression against neighbouring States,

Noting with indignation that South Africa's policy of bantustanization is aimed at further dispossessing the African majority of its inalienable rights and depriving it of citizenship and fomenting fratricidal conflict,

Gravely concerned at the continuing massacres, killings and other atrocities against defenceless opponents of *apartheid* perpetrated by the racist régime in Sharpeville, Soweto, Sebokeng and other black townships,

Alarmed at the massive arrests and detentions of leaders and activists of liberation organizations inside the country as well as the increasing number of deaths resulting from police brutality and torture during detentions, which have been confirmed by reports of international humanitarian organizations, and the Detainees Parent Support Committee in South Africa and the Institute of Criminology of the University of Cape Town,

Reaffirming the legitimacy of the struggle of the oppressed people of South Africa and their liberation movements by all available means, including armed struggle, for the elimination of *apartheid*, which is declared as a crime against humanity, and seriously violating international peace and security,

1. *Again proclaims* its full support of the national liberation movements of South Africa as the authentic representatives of the South African people in its just struggle for freedom;

2. *Strongly condemns* the illegitimate minority racist régime of South Africa for its policies and actions, in particular the imposition of the state of emergency in that country;

3. *Condemns* the South African racist régime for defying resolutions of the United Nations and persisting with the further entrenchment of *apartheid*, a system declared a crime against humanity and a threat to international peace and security;

4. *Strongly condemns* the Pretoria régime for the killing of defenceless African people protesting against their forced removal from Crossroads and other places as well as the arbitrary arrests of members of the United Democratic Front, National Forum and other mass organizations opposed to *apartheid*;

5. *Condemns* the execution of Benjamin Maloise in defiance of international calls for rescinding his execution order;

6. *Reaffirms* that freedom fighters of South Africa should be treated as prisoners of war in accordance with Additional Protocol I⁶⁵ to the Geneva Conventions of 12 August 1949;⁶⁶

7. *Demands* that the Pretoria régime withdraw the trumped up charges of "high treason" instituted against members of the United Democratic Front and other organizations and immediately and unconditionally release all of them;

8. *Further demands* that the Pretoria régime release unconditionally and immediately all political prisoners and detainees, including Nelson Mandela and Zephania Mothopeng;

9. *Commends* the massive united resistance of the oppressed people of South Africa against *apartheid*, and reaffirms the legitimacy of their struggle for a united, non-racial and democratic South Africa;

10. *Demands* the immediate lifting of the state of emergency in South Africa;

11. *Demands* that the racist régime:

(a) Withdraw all its troops immediately and unconditionally from Angola;

(b) Put an end to its illegal occupation of Namibia;

(c) Strictly observe the independence, sovereignty and territorial integrity of independent African States;

12. *Appeals* to all States, intergovernmental and non-governmental organizations, anti-*apartheid* and solidarity movements, trade unions, religious bodies, student and other public organizations, mass media as well as city and other local authorities and individuals urgently to provide increased political, economic, educational, legal and other forms of support to the oppressed people of South Africa, as well as humanitarian and all other necessary assistance to the national liberation movements of South Africa in their just struggle for the exercise of the right of self-determination by the oppressed people of South Africa;

13. *Reaffirms* 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 unfragmented South Africa, can lead to a just and lasting solution of the explosive situation in South Africa;

14. *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 against *Apartheid* and other appropriate bodies;

15. *Requests* the Security Council, as a matter of urgency, to consider the serious situation in South Africa emanating from the imposition of the so-called "new constitution" and the state of emergency and to take all necessary measures, in accordance with Chapter VII of the Charter of the United Nations, to avert the further aggravation of tension and conflict in South Africa and in southern Africa as a whole.

111th plenary meeting
10 December 1985

C

WORLD CONFERENCE ON SANCTIONS AGAINST RACIST SOUTH AFRICA

The General Assembly,

Gravely concerned about the deteriorating situation in South Africa,

Recalling its resolutions concerning economic and other sanctions against South Africa,

Recalling also Security Council resolution 569 (1985) of 26 July 1985,

Noting with regret, however, that the Security Council has thus far failed to take action under Chapter VII of the Charter of the United Nations,

⁶⁵ A/32/144, annex I.

⁶⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

Taking note of the resolution adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985,⁶⁷ and of the statement by the current Chairman of the Assembly of Heads of State and Government of that organization of 21 October 1985,³⁰ *inter alia*, for the convening of a World Conference on Sanctions against Racist South Africa,

1. *Decides* to organize, in co-operation with the Organization of African Unity and the Movement of Non-Aligned Countries, a World Conference on Sanctions against Racist South Africa in June 1986;

2. *Authorizes* the Special Committee against *Apartheid*, in co-operation with the Organization of African Unity and the Movement of Non-Aligned Countries, to make all necessary arrangements for the organization of the Conference;

3. *Requests* the Secretary-General to provide all necessary assistance to the Special Committee in the organization of the Conference;

4. *Invites* all appropriate United Nations organs, the specialized agencies and other intergovernmental and non-governmental organizations to co-operate with the Special Committee in the implementation of the present resolution;

5. *Requests* the Secretary-General to report on the Conference to the General Assembly at its forty-first session.

111th plenary meeting
10 December 1985

D

PUBLIC INFORMATION AND PUBLIC ACTION AGAINST APARTHEID

The General Assembly,

Reaffirming its resolutions on public information and public action against *apartheid*, including in particular resolution 39/72 E of 13 December 1984,

Having considered the special report of the Special Committee against *Apartheid* on concerted international action for the elimination of *apartheid*,⁶⁸

Recognizing the inescapable moral challenge by the inhuman system of *apartheid* in South Africa,

Reaffirming its solidarity with the just struggle of the people of South Africa for the elimination of *apartheid* and the exercise of the right of self-determination by that people as a whole, irrespective of race, colour or creed,

Recognizing the important role of public information and public involvement in international efforts for the elimination of *apartheid*,

Condemning the racist régime of South Africa and its collaborators for their nefarious propaganda to confuse and divert public attention from the evils of *apartheid*,

Considering that the United Nations has a special responsibility to disseminate as widely as possible information on the inhumanity of *apartheid*, including the escalation of racist violence by the régime against the black majority, the just struggle of the oppressed people of South Africa and the action by the international community for the elimination of *apartheid*,

Recognizing the importance of contributions by Governments, non-governmental organizations, information media and individuals towards such efforts,

Welcoming and commending the relevant activities of many trade unions, artists, athletes and other individuals committed to freedom and human dignity,

Noting with concern the recent measure imposed by the racist régime further to restrict the freedom of the press and information media to report on the situation prevailing in South Africa,

1. *Commends* the efforts of the Special Committee against *Apartheid* and endorses the recommendations contained in its special report to further enhance the dissemination of information on the evils of *apartheid*;

2. *Encourages* the Special Committee and the Centre against *Apartheid* of the Secretariat to intensify their activities designed to inform world public opinion of the situation in South Africa, and promote public action in support of the just struggle of the oppressed people and the objectives of the United Nations;

3. *Requests* the Secretary-General, as a matter of high priority, to take all appropriate steps to ensure full co-operation by the Department of Public Information of the Secretariat and all organizations within the United Nations system with the Special Committee and the Centre against *Apartheid* in dissemination of information on the evils of *apartheid*;

4. *Requests* the Department of Public Information to ensure the widest dissemination of information on atrocities and crimes committed by the *apartheid* régime;

5. *Appeals* to all Governments, information media, non-governmental organizations and individuals to lend their co-operation to the United Nations in disseminating information against *apartheid*;

6. *Appeals* to all Governments, information media, non-governmental organizations and individuals to intensify further the international campaign for the release of Nelson Mandela, Zephania Mothopeng and all South African political prisoners and detainees;

7. *Appeals* to all Governments to contribute generously to the Trust Fund for Publicity against *Apartheid* and to information activities of non-governmental organizations engaged in programmes against *apartheid*;

8. *Launches an appeal* to all information media, intellectuals and other public leaders to contribute to efforts to arouse the conscience of the world against *apartheid*;

9. *Fully supports* the efforts of the information media to continue, in the face of great difficulty, danger and official curbs, to keep the world informed of the truth.

111th plenary meeting
10 December 1985

E

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,⁶⁹

⁶⁷ A/40/666, annex II, resolution CM/Res.1004 (XLII).

⁶⁸ Official Records of the General Assembly, Fortieth Session, Supplement No. 22A (A/40/22/Add.1-4), document A/40/22/Add.4.

⁶⁹ *Ibid.*, document A/40/22/Add.2.

Noting with appreciation the efforts of the Special Committee to expose the increasing and continuing collaboration between Israel and South Africa,

Reiterating that 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 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. Commends the Special Committee against *Apartheid* for publicizing the growing relations between Israel and South Africa and promoting public awareness of the grave dangers of the alliance between Israel and South Africa;

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

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

4. Calls upon all Governments and organizations in a position to do so to exert their influence to persuade Israel to desist from such collaboration;

5. Requests the Special Committee to continue to publicize, as widely as possible, information on the relations between Israel and South Africa;

6. Again 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;

7. 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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F

PROGRAMME OF WORK OF THE SPECIAL COMMITTEE AGAINST APARTHEID

The General Assembly,

Having considered the report of the Special Committee against *Apartheid*,⁶³

1. Commends the Special Committee against *Apartheid* for its vigorous efforts to promote concerted international action in support of the legitimate aspirations of the oppressed people of South Africa and in implementation of relevant United Nations resolutions;

2. Endorses the recommendations contained in paragraphs 400 to 404 of the report of the Special Committee⁶³ relating to its programme of work and activities to promote the international campaign against *apartheid*;

3. 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;

4. Decides to make a special allocation of \$500,000 to the Special Committee for 1986 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*;

5. Again requests Governments and organizations to make voluntary contributions or provide other assistance for the special projects of the Special Committee and to make generous contributions to the Trust Fund for Publicity against *Apartheid*.

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G

INTERNATIONAL CONVENTION AGAINST APARTHEID IN SPORTS

The General Assembly,

Recalling its resolution 32/105 M of 14 December 1977, by which it adopted the International Declaration against *Apartheid* in Sports,

Recalling also its resolution 39/72 D of 13 December 1984, by which it requested the *Ad Hoc* Committee on the Drafting of an International Convention against *Apartheid* in Sports to continue its work with a view to submitting the draft Convention to the General Assembly at its fortieth session,

Recalling further that the International Convention on the Suppression and Punishment of the Crime of *Apartheid*⁶⁴ declares that *apartheid* is a crime violating principles of international law, in particular the purposes and principles of the Charter of the United Nations,

Mindful of the special responsibility of the United Nations to eliminate *apartheid* and racial discrimination in sports and in society,

Convinced that *apartheid* still dominates sports and the society as a whole in South Africa and that all so-called reforms have not led to any meaningful change in sports and the society in that country,

Reaffirming its unqualified support for the Olympic principle that no discrimination be allowed on the grounds of race, religion or political affiliation and its belief that merit should be the sole criterion in sport activities,

Reaffirming the necessity to ensure an international concerted action to isolate the racist régime of South Africa from the field of international sports as well as all other fields,

Commending the efforts of the Special Committee against *Apartheid* to ensure the total isolation of *apartheid* in sports and, in particular, the publication of the *Register of Sports Contacts* with South Africa, and urging Member States, pending the entry into force of the Convention, to co-operate with the Special Committee on matters relating to the isolation of *apartheid* in sports,

Commending all sports bodies, teams and individual sportsmen that have declared their determination not to engage in sports contacts with South Africa until the evil system of *apartheid* is abolished,

Convinced that the Convention would be an important instrument towards the isolation of the racist régime of South Africa and the elimination of *apartheid* in sports and that it should be signed and ratified by States at the

earliest possible date and its provisions implemented without delay,

Considering that the text of the Convention should be made known throughout the world,

1. *Adopts* and opens for signature and ratification the International Convention against *Apartheid* in Sports, the text of which is annexed to the present resolution;

2. *Appeals* to all States to sign and ratify the Convention as soon as possible;

3. *Requests* all Governments and intergovernmental and non-governmental organizations to acquaint the public as widely as possible with the text of the Convention, using all the information media at their disposal;

4. *Requests* the Secretary-General to ensure the urgent and wide dissemination of the Convention and, for that purpose, to publish and circulate its text;

5. *Commends* the efforts of the Special Committee against *Apartheid* and requests it to continue to publish the *Register of Sports Contacts* with South Africa until the establishment of the Commission against *Apartheid* in Sports.

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10 December 1985

ANNEX

International Convention against *Apartheid* in Sports

The States Parties to the present Convention,

Recalling the provisions of the Charter of the United Nations, in which all Members pledged themselves to take joint and separate action, in cooperation with the Organization, for the achievement of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights³⁹ proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in the Declaration without distinction of any kind, particularly in regard to race, colour or national origin,

Observing that, in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination,⁷⁰ States Parties to that Convention particularly condemn racial segregation and *apartheid* and undertake to prevent, prohibit and eradicate all practices of this nature in all fields,

Observing that the General Assembly of the United Nations has adopted a number of resolutions condemning the practice of *apartheid* in sports and has affirmed its unqualified support for the Olympic principle that no discrimination be allowed on the grounds of race, religion or political affiliation and that merit should be the sole criterion for participation in sports activities,

Considering that the International Declaration against *Apartheid* in Sports,⁷¹ which was adopted by the General Assembly on 14 December 1977, solemnly affirms the necessity for the speedy elimination of *apartheid* in sports,

Recalling the provisions of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*⁶⁴ and recognizing, in particular, that participation in sports exchanges with teams selected on the basis of *apartheid* directly abets and encourages the commission of the crime of *apartheid*, as defined in that Convention,

Resolved to adopt all necessary measures to eradicate the practice of *apartheid* in sports and to promote international sports contacts based on the Olympic principle,

Recognizing that sports contact with any country practising *apartheid* in sports condones and strengthens *apartheid* in violation of the Olympic principle and thereby becomes the legitimate concern of all Governments,

Desiring to implement the principles embodied in the International Declaration against *Apartheid* in Sports and to secure the earliest adoption of practical measures to that end,

Convinced that the adoption of an International Convention against *Apartheid* in Sports would result in more effective measures at the international and national levels, with a view to eliminating *apartheid* in sports,

Have agreed as follows:

Article 1

For the purposes of the present Convention:

(a) The expression "*apartheid*" shall mean a system of institutionalized racial segregation and discrimination for the purpose of establishing and maintaining domination by one racial group of persons over another racial group of persons and systematically oppressing them, such as that pursued by South Africa, and "*apartheid* in sports" shall mean the application of the policies and practices of such a system in sports activities, whether organized on a professional or an amateur basis;

(b) The expression "national sports facilities" shall mean any sports facility operated within the framework of a sports programme conducted under the auspices of a national government;

(c) The expression "Olympic principle" shall mean the principle that no discrimination be allowed on the grounds of race, religion or political affiliation;

(d) The expression "sports contracts" shall mean any contract concluded for the organization, promotion, performance or derivative rights, including servicing, of any sports activity;

(e) The expression "sports bodies" shall mean any organization constituted to organize sports activities at the national level, including national Olympic committees, national sports federations or national governing sports committees;

(f) The expression "team" shall mean a group of sportsmen organized for the purpose of participating in sports activities in competition with other such organized groups;

(g) The expression "sportsmen" shall mean men and women who participate in sports activities on an individual or team basis, as well as managers, coaches, trainers and other officials whose functions are essential for the operation of a team.

Article 2

States Parties strongly condemn *apartheid* and undertake to pursue immediately by all appropriate means the policy of eliminating the practice of *apartheid* in all its forms from sports.

Article 3

States Parties shall not permit sports contact with a country practising *apartheid* and shall take appropriate action to ensure that their sports bodies, teams, and individual sportsmen do not have such contact.

Article 4

States Parties shall take all possible measures to prevent sports contact with a country practising *apartheid* and shall ensure that effective means exist for bringing about compliance with such measures.

Article 5

States Parties shall refuse to provide financial or other assistance to enable their sports bodies, teams and individual sportsmen to participate in sports activities in a country practising *apartheid* or with teams or individual sportsmen selected on the basis of *apartheid*.

Article 6

Each State Party shall take appropriate action against its sports bodies, teams and individual sportsmen that participate in sports activities in a country practising *apartheid* or with teams representing a country practising *apartheid*, which in particular shall include:

(a) Refusal to provide financial or other assistance for any purpose to such sports bodies, teams and individual sportsmen;

(b) Restriction of access to national sports facilities by such sports bodies, teams and individual sportsmen;

(c) Non-enforceability of all sports contracts which involve sports activities in a country practising *apartheid* or with teams or individual sportsmen selected on the basis of *apartheid*;

(d) Denial and withdrawal of national honours or awards in sports to such teams and individual sportsmen;

(e) Denial of official receptions in honour of such teams or sportsmen.

Article 7

States Parties shall deny visas and/or entry to representatives of sports bodies, teams and individual sportsmen representing a country practising *apartheid*.

⁷⁰ Resolution 2106 A (XX), annex.

⁷¹ Resolution 32/105 M, annex.

Article 8

States Parties shall take all appropriate action to secure the expulsion of a country practising *apartheid* from international and regional sports bodies.

Article 9

States Parties shall take all appropriate measures to prevent international sports bodies from imposing financial or other penalties on affiliated bodies which, in accordance with United Nations resolutions, the provisions of the present Convention and the spirit of the Olympic principle, refuse to participate in sports with a country practising *apartheid*.

Article 10

1. States Parties shall use their best endeavours to ensure universal compliance with the Olympic principle of non-discrimination and the provisions of the present Convention.

2. Towards this end, States Parties shall prohibit entry into their countries of members of teams and individual sportsmen participating or who have participated in sports competitions in South Africa and shall prohibit entry into their countries of representatives of sports bodies, members of teams and individual sportsmen who invite on their own initiative sports bodies, teams and sportsmen officially representing a country practising *apartheid* and participating under its flag. States Parties may also prohibit entry of representatives of sports bodies, members of teams or individual sportsmen who maintain sports contacts with sports bodies, teams or sportsmen representing a country practising *apartheid* and participating under its flag. Prohibition of entry should not violate the regulations of the relevant sports federations which support the elimination of *apartheid* in sports and shall apply only to participation in sports activities.

3. States Parties shall advise their national representatives to international sports federations to take all possible and practical steps to prevent the participation of the sports bodies, teams and sportsmen referred to in paragraph 2 above in international sports competitions and shall, through their representatives in international sports organizations, take every possible measure:

(a) To ensure the expulsion of South Africa from all federations in which it still holds membership as well as to deny South Africa reinstatement to membership in any federation from which it has been expelled;

(b) In case of national federations condoning sports exchanges with a country practising *apartheid*, to impose sanctions against such national federations including, if necessary, expulsion from the relevant international sports organization and exclusion of their representatives from participation in international sports competitions.

4. In cases of flagrant violations of the provisions of the present Convention, States Parties shall take appropriate action as they deem fit, including, where necessary, steps aimed at the exclusion of the responsible national sports governing bodies, national sports federations or sportsmen of the countries concerned from international sports competition.

5. The provisions of the present article relating specifically to South Africa shall cease to apply when the system of *apartheid* is abolished in that country.

Article 11

1. There shall be established a Commission against *Apartheid* in Sports (hereinafter referred to as "the Commission") consisting of fifteen members of high moral character and committed to the struggle against *apartheid*, particular attention being paid to participation of persons having experience in sports administration, elected by the States Parties from among their nationals, having regard to the most equitable geographical distribution and the representation of the principal legal systems.

2. The members of the Commission shall be elected by secret ballot from a list of persons nominated by the States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Commission shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Commission shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Commission shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these nine members shall be chosen by lot by the Chairman of the Commission.

6. For the filling of casual vacancies, the State Party whose national has ceased to function as a member of the Commission shall appoint another person from among its nationals, subject to the approval of the Commission.

7. States Parties shall be responsible for the expenses of the members of the Commission while they are in performance of Commission duties.

Article 12

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Commission, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention within one year of its entry into force and thereafter every two years. The Commission may request further information from the States Parties.

2. The Commission shall report annually through the Secretary-General to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of the reports and information received from the States Parties. Such suggestions and recommendations shall be reported to the General Assembly together with comments, if any, from States Parties concerned.

3. The Commission shall examine, in particular, the implementation of the provisions of article 10 of the present Convention and make recommendations on action to be undertaken.

4. A meeting of States Parties shall be convened by the Secretary-General at the request of a majority of the States Parties to consider further action with respect to the implementation of the provisions of article 10 of the present Convention. In cases of flagrant violation of the provisions of the present Convention, a meeting of States Parties shall be convened by the Secretary-General at the request of the Commission.

Article 13

1. Any State Party may at any time declare that it recognizes the competence of the Commission to receive and examine complaints concerning breaches of the provisions of the present Convention submitted by States Parties which have also made such a declaration. The Commission may decide on the appropriate measures to be taken in respect of breaches.

2. States Parties against which a complaint has been made, in accordance with paragraph 1 of the present article, shall be entitled to be represented and take part in the proceedings of the Commission.

Article 14

1. The Commission shall meet at least once a year.
2. The Commission shall adopt its own rules of procedure.
3. The secretariat of the Commission shall be provided by the Secretary-General of the United Nations.
4. The meetings of the Commission shall normally be held at United Nations Headquarters.
5. The Secretary-General shall convene the initial meeting of the Commission.

Article 15

The Secretary-General of the United Nations shall be the depositary of the present Convention.

Article 16

1. The present Convention shall be open for signature at United Nations Headquarters by all States until its entry into force.
2. The present Convention shall be subject to ratification, acceptance or approval by the signatory States.

Article 17

The present Convention shall be open for accession by all States.

Article 18

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twenty-seventh instrument of ratification, acceptance, approval or accession.

2. For each State ratifying, accepting, approving or acceding to the present Convention after its entry into force, the Convention shall enter into force on the thirtieth day after the date of deposit of the relevant instrument.

Article 19

Any dispute between States Parties arising out of the interpretation, application or implementation of the present Convention which is not settled by negotiation shall be brought before the International Court of Justice at the request and with the mutual consent of the States Parties to the dispute, save where the Parties to the dispute have agreed on some other form of settlement.

Article 20

1. Any State Party may propose an amendment or revision to the present Convention and file it with the depositary. The Secretary-General of the United Nations shall thereupon communicate the proposed amendment or revision to the States Parties with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment or revision adopted by the majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments or revisions shall come into force when they have been approved by the General Assembly and accepted by a two-thirds majority of the States Parties, in accordance with their respective constitutional processes.

3. When amendments or revisions come into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Convention and any earlier amendment or revision which they have accepted.

Article 21

A State Party may withdraw from the present Convention by written notification to the depositary. Such withdrawal shall take effect one year after the date of receipt of the notification by the depositary.

Article 22

The present Convention has been concluded in Arabic, Chinese, English, French, Russian and Spanish, all texts being equally authentic.

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,⁷² to which is annexed the report of the Committee of Trustees of the Trust Fund,

Alarmed by the increasing number of political trials and detentions and the harsh sentences, including the death penalty, imposed on opponents of *apartheid*,

Gravely concerned at the imposition of the state of emergency in South Africa and the increased repression of thousands of opponents of *apartheid*, including leaders of democratic political mass organizations, community and church leaders, students and trade unionists,

Reaffirming that increased humanitarian and legal 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 growing 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 persistent 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 *apartheid* and racial discrimination in South Africa and Namibia.

111th plenary meeting
10 December 1985

I

CONCERTED INTERNATIONAL ACTION FOR THE ELIMINATION OF APARTHEID

The General Assembly,

Alarmed by the further aggravation of the situation in South Africa caused by the policy of *apartheid*, and lately in particular by the imposition of the state of emergency,

Convinced that the root-cause of the grave situation in southern Africa is the policy of *apartheid*,

Noting with grave concern that in order to perpetuate *apartheid* in South Africa the authorities there have committed acts of aggression and breaches of the peace,

Convinced that only the total eradication of *apartheid* and the establishment of majority rule on the basis of the free and fair exercise of universal adult suffrage can lead to a peaceful and lasting solution in South Africa,

Noting that the so-called reforms in South Africa, including the so-called "new constitution", have the effect of further entrenching the *apartheid* system and further dividing the people of South Africa,

Recognizing that the policy of bantustanization deprives the majority of the people of their citizenship and makes them foreigners in their own country,

Recognizing the responsibility of the United Nations and the international community to take all necessary action for the eradication of *apartheid*, and, in particular, the need for increased and effective pressure on the South African authorities as a peaceful means of achieving the abolition of *apartheid*,

Encouraged, in this context, by the growing international consensus to this end, as demonstrated by the adoption of Security Council resolution 569 (1985) of 26 July 1985 and the increase in and expansion of national and regional measures,

Convinced of the vital importance of the strict observance of Security Council resolution 418 (1977) of 4 November 1977, by which the Council instituted a mandatory arms embargo against South Africa, and Security Council resolution 558 (1984) of 13 December 1984 concerning the import of arms, ammunition and military vehicles produced in South Africa, and of the need to make these embargoes fully effective,

Commending the decisions of oil-exporting countries that have declared it their policy not to sell and export oil to South Africa,

Considering that measures to ensure effective and scrupulous implementation of such embargoes through international co-operation are essential and urgent,

⁷² A/40/780.

Noting with deep concern that, through a combination of military and economic pressures, in violation of international law, the South African authorities have sought to destabilize the front-line and other neighbouring States,

Considering that contacts between *apartheid* South Africa and the front-line and other neighbouring States, necessitated by geography, colonial legacy and other reasons, should not be used by other States as a pretext for legitimizing the *apartheid* system or justifying attempts to break the international isolation of that system,

Convinced that the existence of *apartheid* will continue to lead to ever-increasing resistance by the oppressed people, by all possible means, and increased tension and conflict that will have far-reaching consequences for southern Africa and the world,

Convinced that policies of collaboration with the *apartheid* régime, instead of respect for the legitimate aspirations of the genuine representatives of the great majority of the people, will encourage its repression and aggression against neighbouring States and defiance of the United Nations,

Expressing its full support for the legitimate aspiration of African States and peoples, and of the Organization of African Unity, for the total liberation of the continent of Africa from colonialism and racism,

1. *Strongly condemns* the policy of *apartheid* which deprives the majority of the South African population of their citizenship, fundamental freedoms and human rights, in particular the right to self-determination;

2. *Strongly condemns* the South African authorities for the killings, arbitrary mass arrests and the detention of members of mass organizations as well as individuals, the overwhelming majority of whom belong to the majority population, for opposing the *apartheid* system, the so-called "new constitution" and the state of emergency;

3. *Further condemns* the overt and the covert aggressive actions of South Africa directed at the destabilization of neighbouring States, and those aimed against refugees from South Africa and Namibia;

4. *Demands* that the South African authorities:

(a) Release immediately and unconditionally Nelson Mandela and all other political prisoners, detainees and restrictees;

(b) Immediately lift the state of emergency;

(c) Abrogate discriminatory laws and lift bans on all organizations, news media and individuals opposing *apartheid*;

(d) Grant freedom of association and full trade union rights to all workers of South Africa;

(e) Initiate without preconditions a political dialogue with genuine leaders of the majority population with a view to dismantling *apartheid* without delay and establishing a representative government;

(f) Dismantle the bantustan structures;

(g) Immediately withdraw all their troops from southern Angola and end the destabilization of front-line and other States;

5. *Urges* the Security Council to consider without delay the adoption of effective mandatory sanctions against South Africa;

6. *Further urges* the Security Council to take steps for the strict implementation of the mandatory arms embargo instituted by its resolution 418 (1977) and of the arms embargo requested in its resolution 558 (1984) and, within the context of the relevant resolutions, to secure an end to military and nuclear co-operation with South Africa and

the import of military equipment or supplies from South Africa;

7. *Appeals* to all States that have not yet done so, pending mandatory sanctions by the Security Council, to consider national legislative or other appropriate measures to increase the pressure on the *apartheid* régime of South Africa, such as:

(a) Cessation of further investments in, and financial loans to, South Africa;

(b) An end to all promotion of and support for trade with South Africa;

(c) Prohibition of the sale of military, police or intelligence co-operation with the South African authorities, in particular the sale of computer equipment;

(d) Cessation of all forms of military, police or intelligence co-operation with the South African authorities, in particular the sale of computer equipment;

(e) An end to nuclear collaboration with South Africa;

(f) Cessation of export and sale of oil to South Africa;

8. *Appeals* to all States, organizations and institutions:

(a) To increase humanitarian, legal, educational and other such assistance to the victims of *apartheid*;

(b) To increase support for the liberation movements recognized by the Organization of African Unity and to all those struggling against *apartheid* and for a non-racial, democratic society in South Africa;

(c) To increase assistance to the front-line States and the Southern African Development Co-ordination Conference in order to increase their economic strength and independence from South Africa;

9. *Appeals* to all Governments and organizations to take appropriate action for the cessation of all academic, cultural, scientific and sports relations that would support the *apartheid* régime of South Africa, as well as relations with individuals, institutions and other bodies endorsing or based on *apartheid*;

10. *Commends* those States that have already adopted voluntary measures against the *apartheid* régime of South Africa in accordance with General Assembly resolution 39/72 G of 13 December 1984 and invites those that have not yet done so to follow their example;

11. *Reaffirms* the legitimacy of the struggle of the oppressed people of South Africa for the total eradication of *apartheid* and for the establishment of a non-racial, democratic society in which all the people, irrespective of race, colour or creed, enjoy human rights and fundamental freedoms;

12. *Pays tribute to and expresses solidarity with* organizations and individuals struggling against *apartheid* and for a non-racial, democratic society in accordance with the principles of the Universal Declaration of Human Rights;³⁹

13. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

111th plenary meeting
10 December 1985

40/95. United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy

The General Assembly,

Reaffirming the principles and provisions of its resolution 32/50 of 8 December 1977,

Recalling its subsequent resolutions 33/4 of 2 November 1978, 34/63 of 29 November 1979, 35/112 of

5 December 1980, 36/78 of 9 December 1981, 37/167 of 17 December 1982, 38/60 of 14 December 1983 and 39/74 of 13 December 1984,

Noting that the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy at its sixth session decided to establish a Working Group to carry out formal/official inter-sessional intergovernmental work under the guidance of the Chairman of the Committee, participation being open to members of the Preparatory Committee and to other interested Member States, and that the Working Group will conclude its deliberations in time to submit its report to the Preparatory Committee for consideration at its seventh session to be held at Vienna from 10 to 21 November 1986,⁷³

Noting further that the Preparatory Committee, upon reconsideration of the dates of the Conference on practical considerations and on the understanding that this did not constitute a reopening of the question of timing in any substantive sense, decided that the Conference should be held at Geneva from 23 March to 10 April 1987,⁷⁴

1. *Approves* the conclusions and decisions contained in the report of the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy on its sixth session, including the dates for the seventh session of the Preparatory Committee, from 10 to 21 November 1986, and the new dates of the Conference, from 23 March to 10 April 1987;

2. *Expresses its appreciation* for the efforts of the Chairman of the Preparatory Committee and the Secretary-General of the Conference in pursuance of paragraph 3 of General Assembly resolution 39/74;

3. *Notes with satisfaction* the progress made in the preparations for the Conference and requests the Secretary-General of the Conference to continue with the preparations;

4. *Invites* the International Atomic Energy Agency, the specialized agencies and other relevant organizations of the United Nations system to contribute further to the preparations of the Conference by revising and updating, as necessary and appropriate, their input documents for the Conference, bearing in mind paragraph 7 of General Assembly resolution 39/74 and in the light of the comments by the members of the Preparatory Committee at its sixth session;

5. *Invites* all States to co-operate actively in the preparations for the Conference and to make available at the earliest the information requested in paragraph 9 of General Assembly resolution 36/78 and in the broad questionnaire circulated by the Secretary-General of the Conference in March 1984;

6. *Decides* to include in the provisional agenda of its forty-first session the item entitled "United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy".

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⁷³ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 47 (A/40/47)*, para. 25.

⁷⁴ *Ibid.*, para. 41.

⁷⁵ *Ibid.*, Supplement No. 35 (A/40/35).

40/96. 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, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983 and 39/49 A of 11 December 1984,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,⁷⁵

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 contained in paragraphs 163 to 172 of the report of the Committee⁷⁵ 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 still awaited;

3. *Requests* the Committee to continue 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 Rights⁷⁶ and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

4. *Authorizes* the Committee to continue to exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations where such activities would be considered by it to be appropriate, and to report thereon to the General Assembly at its forty-first session and thereafter;

5. *Requests* the Committee to continue to extend its co-operation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and in creating a more favourable atmosphere for the full implementation of the Committee's recommendations, and to take the necessary steps to expand its contacts with those organizations;

6. *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;

7. *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;

⁷⁶ *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.

8. *Requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

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B

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,⁷⁵

Noting the particularly relevant information contained in paragraphs 135 to 150 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, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983 and 39/49 B of 11 December 1984,

1. *Takes note with appreciation* of the action taken by the Secretary-General in compliance with General Assembly resolution 39/49 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, paragraph 3 of resolution 36/120 B and paragraphs 2 and 3 of resolution 38/58 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, particularly through additional meetings for non-governmental organizations, in order to heighten awareness of the facts relating to the question of Palestine and to create a more favourable atmosphere for the full implementation of the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;

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. *Takes note with appreciation* of the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People and the issuance by them of special postage stamps for the occasion.

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C

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,⁷⁵

Noting, in particular, the information contained in paragraphs 151 to 162 of that report,

Recalling its resolutions 38/58 E of 13 December 1983 and 39/49 C of 11 December 1984,

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-determination and to the establishment of an independent sovereign Palestinian State,

1. *Takes note with appreciation* of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolutions 38/58 E and 39/49 C;

2. *Requests* the Department of Public Information, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme on the question of Palestine for the biennium 1986-1987 and, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine;

(b) To continue to update publications on the facts and developments pertaining to the question of Palestine;

(c) To publish brochures and booklets on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Arab inhabitants of the occupied territories;

(d) To expand its audio-visual material on the question of Palestine, including the production of a new film, special series of radio programmes and television broadcasts;

(e) To organize fact-finding news missions to the area for journalists;

(f) To organize regional and national encounters for journalists.

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D

The General Assembly,

Recalling its resolutions 38/58 C of 13 December 1983 and 39/49 D of 11 December 1984, in which it, *inter alia*, endorsed the convening of an International Peace Conference on the Middle East,

Reaffirming its resolution 39/49 D, in which it, *inter alia*, requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference,

Having considered the reply of the President of the Security Council to the Secretary-General, dated 26 February 1985, in which he, *inter alia*, stated on the subject of the Conference: "In this context, members of the Council invite the Secretary-General to continue consultations on

the subject in any manner he deems appropriate in the light of General Assembly resolution 39/49 D.”⁷⁷

Having considered again the reports of the Secretary-General of 13 March 1984⁷⁸ and 13 September 1984,⁷⁹ in which he stated, *inter alia*, that it was clear from the replies of the Governments of Israel and the United States of America that they were not prepared to participate in the proposed Conference, and regretting the continued negative response of these two Governments and the lack of willingness to reconsider their position towards the Conference,

Having considered the reports of the Secretary-General of 11 March 1985⁸⁰ and 22 October 1985,⁸¹ in which he, *inter alia*, referred to the difficulties experienced in his efforts made the previous year with a view to convening the Conference,

Having heard the constructive statements made by numerous representatives, including that of the Palestine Liberation Organization,

Taking note of the positive positions of the concerned parties, including the Palestine Liberation Organization, and of other States on the convening of the Conference,⁷⁹

Taking note also of the position of the Palestine Liberation Organization which condemns all acts of terrorism, whether committed by States or individuals, including acts of terrorism committed by Israel against the Palestinian people and the Arab nation,

Reiterating once again its conviction that the convening of the Conference would constitute a major contribution by the United Nations towards the achievement of a comprehensive, just and lasting solution to the Arab-Israeli conflict,

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

2. Reaffirms again its endorsement of the call for convening the International Peace Conference on the Middle East in conformity with the provisions of its resolution 38/58 C;

3. Stresses the urgent need for additional constructive efforts by all Governments in order to convene the Conference without further delay and for the achievement of its peaceful objectives;

4. Determines that the question of Palestine is the root-cause of the Arab-Israeli conflict in the Middle East;

5. Calls upon the Governments of Israel and the United States of America to reconsider their positions towards the attainment of peace in the Middle East through the convening of the Conference;

6. Requests the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to report thereon to the General Assembly not later than 15 March 1986;

7. Decides to consider at its forty-first session the report of the Secretary-General on the implementation of the present resolution.

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⁷⁷ See A/40/168-S/17014, para. 3. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for January, February and March 1985*, document S/17014, para. 3.

⁷⁸ A/39/130-S/16409. For the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for January, February and March 1984*, document S/16409.

⁷⁹ A/39/130/Add.1-S/16409/Add.1. For the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for July, August and September 1984*, document S/16409/Add.1.

⁸⁰ A/40/168-S/17014. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for January, February and March 1985*, document S/17014.

40/97. Question of Namibia⁸²

A

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

The General Assembly,

Recalling its resolution 2145 (XXI) of 27 October 1966, by which it decided to terminate the Mandate of South Africa over Namibia and to place the Territory under the direct responsibility of the United Nations,

Recalling, in particular, 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,

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

Having examined the report of the United Nations Council for Namibia,⁸³

Having examined also 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,⁸⁴

Recalling further other resolutions and decisions declaring the illegality of the continued occupation of Namibia by South Africa, in particular Security Council resolution 284 (1970) of 29 July 1970 and the advisory opinion of the International Court of Justice of 21 June 1971,⁸⁵

Bearing in mind that 1986 will mark the twentieth anniversary of the termination of the Mandate of South Africa over Namibia by the General Assembly on 27 October 1966, and expressing its grave concern that, in the period of time that has elapsed, South Africa has continued its illegal occupation of Namibia in defiance of resolutions and decisions of the General Assembly,

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,

Taking note of Security Council resolution 566 (1985) of 19 June 1985, by which the Council condemned the racist régime of South Africa for its installation of a so-called interim government and declared such action to be illegal, null and void,

Noting also the Final Document of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of Non-Aligned Countries on the question of Namibia, held at

⁸¹ A/40/779-S/17581 and Corr.1. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for October, November and December 1985*, document S/17581.

⁸² See also sect. I, footnote 8, and sect. X.B.6, decision 40/409.

⁸³ *Official Records of the General Assembly, Fortieth Session, Supplement No. 24 (A/40/24)*.

⁸⁴ *Ibid.*, Supplement No. 23 (A/40/23), chaps. I-III, V, VII and IX.

⁸⁵ *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.*

New Delhi from 19 to 21 April 1985,⁸⁶ the consensus on Namibia adopted by 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 extraordinary session held at Tunis from 13 to 17 May 1985,⁴¹ the Final Document adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Vienna from 3 to 7 June 1985,⁴² the resolution on Namibia adopted by the Organization of African Unity Co-ordinating Committee for the Liberation of Africa at its forty-fourth session, held at Arusha, United Republic of Tanzania, from 4 to 6 July 1985, and by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985,⁸⁷ and the Final Political Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries, held at Luanda from 4 to 7 September 1985,⁸⁸

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 solemn responsibility of the international community to take all possible measures in support of the Namibian people in their liberation struggle under the leadership of the South West Africa People's Organization,

Noting that 1985 marks the twenty-fifth anniversary of the creation of 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, and recognizing that 1986 will mark the twentieth anniversary of the launching of the armed struggle by the South West Africa People's Organization against South Africa's colonial occupation,

Indignant at South Africa's persistent refusal to comply with 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, 532 (1983) of 31 May 1983, 539 (1983) of 28 October 1983 and 566 (1985) of 19 June 1985, and at its manoeuvres aimed at perpetuating its illegal occupation of Namibia and its brutal exploitation of the Namibian people,

Deploring South Africa's continued intransigence and insistence on irrelevant and unacceptable pre-conditions to the independence of Namibia, its attempts to bypass the United Nations and its designs aimed at perpetuating its illegal occupation of the Territory through the establishment of puppet political institutions,

Deeply concerned at South Africa's increasing militarization of Namibia, the forced conscription of Namibians, the creation of tribal armies and the use of mercenaries for the repression of the Namibian people and for carrying out aggression against neighbouring States,

Strongly condemning the racist régime of South Africa for developing a nuclear capability for military and aggressive purposes,

Expressing its grave concern at the continued occupation of parts of southern Angola by South African troops, which has been facilitated by support extended to the

racist régime and to subversive elements within Angola by certain Western States,

Expressing its strong condemnation of South Africa's use of Namibian territory as a springboard for its continuing acts of aggression against independent African States, particularly Angola and Botswana, which have caused extensive loss of human life and destruction of economic infrastructures,

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 régime of South Africa, in violation of the Charter of the United Nations, of the relevant resolutions of the General Assembly and the Security Council, of Decree No. 1 for the Protection of the Natural Resources of Namibia,⁸⁹ 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 encourages the occupation régime to be even more intransigent and defiant,

Taking note of the decision of the United Nations Council for Namibia of 2 May 1985 to initiate legal proceedings in the domestic courts of States against corporations or individuals involved in the exploitation, transport, processing or purchase of Namibia's natural resources, as part of its efforts to give effect to Decree No. 1 for the Protection of the Natural Resources of Namibia,

Deeply deploring the continued collaboration between certain States and South Africa in the political, military, economic and nuclear fields, 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 disregard of the relevant resolutions of the General Assembly,

Indignant at the continuing arbitrary imprisonment and detention of leaders, members and supporters of the South West Africa People's Organization, the killing, torture and murder of innocent Namibians and other inhuman measures by the illegal occupation régime designed to intimidate the Namibian people and to destroy their determination 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 account of the vetoes cast by one or more of its Western permanent members, from taking effective action against South Africa in the discharge of its responsibilities under Chapter VII of the Charter,

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;

2. *Takes special note* of the Final Document containing the Declaration and Programme of Action, adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Vienna from 3 to 7 June 1985;

⁸⁶ A/40/307-S/17184 and Corr.1, annex.

⁸⁷ A/40/666, annex II, resolution CM/Res.1003 (XLII).

⁸⁸ A/40/854-S/17610 and Corr.1, annex I.

⁸⁹ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

3. *Takes note* of the important debate on the question of Namibia, held in the Security Council from 10 to 19 June 1985;⁹⁰
4. *Further takes note* of Security Council resolution 566 (1985) by which the Council, *inter alia*, condemned South Africa for its installation of a so-called interim government in Namibia and further condemned that régime for its obstruction of the implementation of Council resolution 435 (1978) by insisting on conditions contrary to the provisions of the United Nations plan for the independence of Namibia as embodied in that resolution;
5. *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 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;
6. *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;
7. *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;
8. *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;
9. *Reaffirms* its decision that the United Nations Council for Namibia, in accordance with the mandate conferred upon it by General Assembly resolution 2248 (S-V), should proceed to establish its administration in Namibia in 1986;
10. *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;
11. *Further 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 the resolutions of the United Nations relating to Namibia;
12. *Reaffirms* that Security Council resolution 435 (1978) remains the only acceptable basis for a peaceful settlement of the Namibian question, and calls once again for its immediate and unconditional implementation;
13. *Expresses its dismay* at the failure to date of the Security Council to discharge effectively its responsibilities for the maintenance of peace and security in southern Africa, owing to the opposition of its Western permanent members;
14. *Urges* the Security Council to act decisively in fulfilment of the direct responsibility of the United Nations over Namibia and to take, without further delay, appropriate action to ensure that the United Nations plan, as embodied in Council resolution 435 (1978), is not undermined or modified in any way and that it is fully respected and implemented;
15. *Reiterates its conviction* that South Africa's continued illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its acts of destabilization and aggression against independent African States and its policies of *apartheid* constitute a threat to international peace and security;
16. *Declares* that comprehensive mandatory sanctions under Chapter VII of the Charter of the United Nations are the most effective measures to ensure South Africa's compliance with the resolutions and decisions of the United Nations;
17. *Strongly condemns* South Africa for the imposition of the so-called interim government in Namibia on 17 June 1985, declares this measure null and void, and affirms that this new manoeuvre clearly shows once again that Pretoria does not have the slightest intention of respecting the United Nations plan, as embodied in Security Council resolution 435 (1978), and is seeking, quite to the contrary, to consolidate its illegal hold over the Territory by creating puppet political institutions to serve its own interests;
18. *Denounces* all fraudulent constitutional and political schemes by which the illegal racist régime of South Africa attempts to perpetuate its colonial domination of Namibia, and, in particular, calls upon the international community to continue to refrain from according any recognition or extending any co-operation to any régime imposed by the illegal South African administration upon the Namibian people in violation of Security Council resolutions 385 (1976), 435 (1978), 439 (1978), 532 (1983), 539 (1983) and 566 (1985) and of other relevant resolutions of the General Assembly and the Council;
19. *Reaffirms* that all such manoeuvres are fraudulent and null and void and that they must be rejected categorically by all States as called for in the relevant resolutions of the General Assembly and the Security Council;
20. *Declares* that all so-called laws and proclamations issued by the illegal occupation régime in Namibia are illegal, null and void;
21. *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;
22. *Reiterates* that there are only two parties to the conflict in Namibia, namely, the people of Namibia, led by their sole and authentic representative, the South West Africa People's Organization, on the one hand, and the illegal occupation régime of South Africa, on the other;
23. *Further reiterates* that Member States must exert all efforts to counter any manoeuvres aimed at circumventing the United Nations and undermining its primary responsibility for the decolonization of Namibia;
24. *Welcomes and endorses* the universal and categorical rejection of the "linkage" advanced by South Africa between the independence of Namibia and irrelevant and extraneous issues, such as the presence of Cuban forces in

⁹⁰ See *Official Records of the Security Council, Fortieth Year*, 2583rd, 2584th, 2586th-2590th and 2592nd-2595th meetings.

Angola, and emphasizes unequivocally that such "linkage", in addition to delaying the decolonization process in Namibia, constitutes an interference in the internal affairs of Angola;

25. *Welcomes and endorses* the world-wide and justified condemnation of the policy of constructive engagement with South Africa as one which, in addition to encouraging South Africa's intransigence and thereby delaying Namibia's independence, has been discredited and made bankrupt by the very actions of the Pretoria régime both within South Africa and in the southern African region as a whole;

26. *Expresses its appreciation* to the front-line States and the South West Africa People's Organization for their statesmanlike and constructive attitude in the efforts aimed at implementing Security Council resolution 435 (1978);

27. *Reaffirms its conviction* that the solidarity and support of the front-line States for the Namibian cause continues to be a factor of paramount importance in the efforts to bring genuine independence to the Territory;

28. *Strongly urges* the international community to increase, as a matter of urgency, financial, material, military and political support to the front-line States so as to enable them to resolve their own economic difficulties, which are largely a consequence of Pretoria's policies of aggression and subversion, and to defend themselves better against South Africa's persistent attempts to destabilize them;

29. *Requests* Member States urgently to extend all necessary assistance to Angola and other front-line States, in order to enable them to strengthen their defence capacity against South Africa's acts of aggression;

30. *Commends* the South West Africa People's Organization for its continued intensification of the struggle on all fronts, including the armed struggle, and for its commitment to embrace all Namibian patriots in an effort to strengthen further national unity so as to ensure the territorial integrity and sovereignty of a united Namibia, and welcomes the consolidation of unity in action by the patriotic forces in Namibia under the leadership of the South West Africa People's Organization, during the critical phase of their struggle for national and social liberation;

31. *Reaffirms* its solidarity with, and support for, the South West Africa People's Organization, the sole and authentic representative of the Namibian people, and pays tribute to that organization for the sacrifices it has made in the field of battle and also for the spirit of statesmanship, co-operation and far-sightedness it has displayed in the political and diplomatic arena despite the most extreme provocations on the part of the racist Pretoria régime;

32. *Calls upon* Member States and the specialized agencies and other organizations of the United Nations system 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;

33. *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;

34. *Solemnly reaffirms* that Namibia's accession to independence must be with its territorial integrity intact, including Walvis Bay and the offshore islands, and 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, any attempt by South Africa to annex them is, therefore, illegal, null and void;

35. *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;

36. *Strongly condemns* South Africa for obstructing the implementation of United Nations resolutions, in particular Security Council resolutions 385 (1976), 435 (1978), 439 (1978), 532 (1983), 539 (1983) and 366 (1985), 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;

37. *Strongly condemns* the continuing collaboration between South Africa and certain Western countries in the political, economic, diplomatic and financial fields, and expresses its conviction that such collaboration helps to prolong South Africa's domination and control over the people and Territory of Namibia;

38. *Deplores*, in this context, the establishment and operation by racist South Africa of the so-called Namibia Information Offices in France, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America, aimed at legitimizing its puppet institutions in Namibia, in particular the so-called interim government for which the racist régime has been condemned by the Security Council and the international community, and demands their immediate closure;

39. *Notes with appreciation* the recent measures taken by some States, parliamentarians, institutions and non-governmental organizations in order to exert pressure on the racist régime of South Africa and calls upon them to redouble and intensify their efforts to force the racist régime to comply with the resolutions and decisions of the United Nations relating to Namibia and South Africa;

40. *Calls once again 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 and to isolate the racist régime of South Africa;

41. *Strongly condemns* South Africa for its military build-up in Namibia, its introduction of compulsory military service for Namibians, its proclamation of a so-called security zone in Namibia, 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;

42. *Strongly condemns* South Africa for its imposition of military conscription of all Namibian males between seventeen and fifty-five years of age into the occupying colonial army, in yet further sinister attempts to suppress the national liberation struggle of the Namibian people and to force Namibians to kill one another, and declares that all measures taken by racist South Africa by which the illegal occupation régime attempts to enforce military conscription in Namibia are illegal, null and void;

43. *Strongly condemns* the racist régime of South Africa for its utilization of the international Territory of Namibia as a springboard for perpetrating armed invasions, subversion, destabilization and aggression against neighbouring African States;

44. *Strongly condemns* South Africa, in particular for its persistent acts of aggression and subversion against Angola, including the continued occupation of parts of Angolan territory in gross violation of its sovereignty and territorial integrity, and calls upon South Africa to cease all acts of aggression against Angola and withdraw immediately and unconditionally all its troops from that country;
45. *Expresses its grave concern* at the acquisition of nuclear-weapon capability by the racist régime of South Africa and declares that such acquisition constitutes a threat to peace and security in Africa while posing a danger to all mankind;
46. *Condemns* and calls for an immediate end to the continuing military collaboration on the part of certain Western countries with the racist régime of South Africa, and expresses its conviction that such collaboration, in addition to strengthening the aggressive military machinery of the Pretoria régime, thereby constituting a hostile action against the people of Namibia and the front-line States, is also in violation of the arms embargo imposed against South Africa under Security Council resolution 418 (1977) of 4 November 1977;
47. *Declares* that such collaboration encourages the Pretoria régime in its defiance of the international community and obstructs efforts to eliminate *apartheid* and bring South Africa's illegal occupation of Namibia to an end, and calls for the immediate cessation of such collaboration;
48. *Calls upon* all States to implement fully the arms embargo imposed against South Africa under Security Council resolution 418 (1977);
49. *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;
50. *Further calls upon* the Security Council to implement, as a matter of urgency, the recommendations contained in the report of the Security Council Committee established in pursuance of resolution 421 (1977);⁹¹
51. *Calls upon* all States to comply with Security Council resolution 558 (1984) of 13 December 1984 and to refrain from importing arms, ammunition of all types and military vehicles produced in South Africa;
52. *Condemns* all collaboration with the Pretoria régime in the nuclear field, and calls upon all States that do so to terminate such collaboration, including refraining from supplying the racist minority régime of South Africa, directly or indirectly, with installations, equipment or material that might enable it to produce uranium, plutonium or other nuclear materials or reactors;
53. *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;
54. *Strongly condemns* the illegal occupation régime of South Africa for its massive repression of the people of Namibia and their liberation movement, the South West Africa People's Organization, in an attempt to intimidate and terrorize them into submission;
55. *Demands once again* 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;
56. *Demands* that South Africa account for all "disappeared" Namibians and release any who are still alive, and declares that South Africa shall be liable to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained;
57. *Reaffirms* that the natural resources of Namibia, including its marine resources, are the inviolable heritage of the Namibian people, and expresses its deep concern at the depletion of these resources, particularly its uranium deposits, as a result of their 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 Decree No. 1 for the Protection of the Natural Resources of Namibia and in disregard of the advisory opinion of the International Court of Justice of 21 June 1971;
58. *Endorses* the decision by the United Nations Council for Namibia at its extraordinary plenary meetings, held at Vienna from 3 to 7 June 1985, that it will, in the exercise of its rights under the United Nations Convention on the Law of the Sea,⁵⁰ proclaim an exclusive economic zone for Namibia, the outer limit of which shall be 200 miles, and states that any action for the implementation of that decision should be taken in consultation with the South West Africa People's Organization, the representative of the people of Namibia;
59. *Declares* that all activities of foreign economic interests in Namibia are illegal under international law and that all the foreign economic interests operating in Namibia are liable to pay damages to the future lawful Government of an independent Namibia;
60. *Calls upon* the United Nations Council for Namibia, in pursuance of the relevant provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, to take the necessary steps to compile statistical information on the wealth illegally extracted from Namibia with a view to assessing the extent of compensation eventually due to an independent Namibia;
61. *Strongly condemns* the activities of all foreign economic interests operating in Namibia which are illegally exploiting the resources of the Territory, and demands that these interests comply with all the relevant resolutions and decisions of the United Nations by immediately refraining from any new investment or any other activity in Namibia, by withdrawing from the Territory and by putting an end to their co-operation with the illegal South African administration;
62. *Declares* that, by their incessant exploitation of the human and natural resources of the Territory and their continued accumulation and repatriation of huge profits, the foreign economic, financial and other interests operating in Namibia constitute a major obstacle to its independence;
63. *Requests once again* all Member States, particularly those States whose corporations are engaged in the exploitation of Namibian resources, to take all appropriate measures, including legislative 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;
64. *Calls upon* the Governments of all States, particularly those whose corporations are involved in the mining and processing of Namibian uranium, to take all appropri-

⁹¹ *Ibid.*, Thirty-fifth Year, Supplement for July, August and September 1980, document S/14179.

ate measures in compliance with United Nations resolutions and decisions and Decree No. 1 for the Protection of the Natural Resources of Namibia, including the practice of requiring negative certificates of origin, to prohibit State-owned and other corporations, together with their subsidiaries, from dealing in Namibian uranium and from engaging in any uranium-prospecting activities in Namibia;

65. *Approves* of the decision of the United Nations Council for Namibia of 2 May 1985 to initiate legal proceedings in the domestic courts of States against corporations or individuals involved in the exploitation, transport, processing or purchase of Namibia's natural resources, as part of its efforts to give effect to Decree No. 1 for the Protection of the Natural Resources of Namibia;

66. *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,⁹² which regulates the activities of Urenco;

67. *Urges* the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia until independence, to consider the promulgation of additional legislation in order to protect and promote the interests of the people of Namibia and to implement effectively such legislation;

68. *Calls upon* all specialized agencies, in particular the International Monetary Fund, to terminate all collaboration with, and assistance to, the racist régime of South Africa, since such assistance serves to augment the military capability of the Pretoria régime, thus enabling it not only to continue the brutal repression in Namibia and South Africa itself, but also to commit aggression against independent neighbouring States;

69. *Reiterates its request* to all States, pending the imposition of comprehensive mandatory sanctions against South Africa, to take legislative, administrative and other measures individually 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 its resolution 37/233 A of 20 December 1982;

70. *Requests* the United Nations Council for Namibia, in its 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 forty-first session a comprehensive report on all contacts between Member 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;

71. *Requests* all States to co-operate fully with the United Nations Council for Namibia in the fulfilment of its task 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 forty-first session of the Assembly on the measures taken by them in the implementation of those resolutions;

72. *Declares* that the liberation struggle in Namibia is a conflict of an international character in terms of article 1, paragraph 4, of Additional Protocol I⁶⁵ to the Geneva Conventions of 12 August 1949,⁶⁶ 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 War⁹³ and the Additional Protocol thereto;

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

74. *Strongly urges* the Security Council, in view of the persistent refusal by the racist régime of South Africa to comply with the resolutions and decisions of the United Nations on the question of Namibia, particularly Security Council resolutions 385 (1976), 435 (1978), 539 (1983) and 566 (1985), and, in the light of the serious threat to international peace and security posed by South Africa, to impose comprehensive mandatory sanctions against that country as provided for in Chapter VII of the Charter of the United Nations;

75. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

115th plenary meeting
13 December 1985

B

IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 435 (1978)

The General Assembly,

Indignant at South Africa's persistent 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, 532 (1983) of 31 May 1983, 539 (1983) of 28 October 1983 and 566 (1985) of 19 June 1985 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 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,

Reaffirming the inalienable right of the Namibian people to self-determination and independence, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Strongly condemning racist South Africa for its continued illegal occupation of Namibia and its manoeuvres aimed at obstructing the implementation of Security Council resolutions, in particular resolutions 385 (1976) and 435 (1978),

Strongly condemning racist South Africa for its continued denial to the Namibian people of the exercise of their inalienable right to self-determination and independence,

⁹² United Nations, *Treaty Series*, vol. 795, No. 11326, p. 308.

⁹³ *Ibid.*, vol. 75, No. 972, p. 135.

Recalling that the “linkage” insisted upon by South Africa of the independence of Namibia with totally irrelevant and extraneous issues, such as the presence of Cuban forces in Angola, has been rejected by the General Assembly and the Security Council and has been condemned world wide,

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 any attempts to link their presence in that country with Namibia's independence constitute a gross and unwarranted 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 the Territory,

Expressing 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,

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,⁹⁴

Commending the South West Africa People's Organization for its preparedness to co-operate fully with the Secretary-General of the United Nations and his Special Representative, including its expressed readiness to sign and observe a cease-fire agreement with South Africa, in the implementation of the United Nations plan for the independence of Namibia, as embodied in Security Council resolution 435 (1978),

Condemning the racist régime of South Africa for its installation of a so-called interim government in Namibia, in violation of Security Council resolutions 435 (1978) and 439 (1978),

Expressing grave concern that, forty years after the founding of the United Nations, the question of Namibia, which has been with the Organization since its inception, still remains unresolved,

Expressing grave concern at the lack of progress in implementing Security Council resolution 435 (1978), as indicated in the further reports of the Secretary-General dated 29 December 1983,⁹⁵ 6 June 1985⁹⁶ and 6 September 1985,⁹⁷ concerning the implementation of Security Council resolutions 435 (1978) and 439 (1978),

Recalling Security Council resolution 566 (1985) by which the Council, *inter alia*, demanded that South Africa co-operate fully with the Security Council and the Secretary-General in the implementation of that resolution and warned that failure to do so would compel the Council to meet forthwith to consider the adoption of appropriate measures under the Charter,

Recalling its request to the Security Council, in view of the persistent refusal by the racist régime of South Africa to comply with the resolutions and decisions of the United Nations on Namibia, particularly Security Council resolutions, and, in the light of the serious threat to international peace and security posed by South Africa, to impose comprehensive mandatory sanctions against that country as provided for in Chapter VII of the Charter, in fulfilment of

its responsibilities under the Charter and in response to the overwhelming demand of the international community,

1. *Strongly condemns* South Africa for obstructing the implementation of Security Council resolutions 385 (1976), 435 (1978), 439 (1978), 532 (1983), 539 (1983) and 566 (1985) 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 resolutions 385 (1976) and 435 (1978), relating to the United Nations plan for the independence of Namibia, constitute the only internationally accepted basis for a peaceful settlement of the Namibian problem, and demands their immediate and unconditional implementation;

4. *Condemns* the continuing attempts by racist South Africa to set up puppet political institutions and impose an “internal settlement” in Namibia, in defiance of resolutions and decisions of the United Nations, and, in this context, condemns and rejects the puppet “Multi-Party Conference” as the latest in a series of political stratagems through which Pretoria attempts to impose a neo-colonial settlement in Namibia;

5. *Strongly condemns* the racist régime for the installation of the so-called interim government in Namibia on 17 June 1985, declares this measure null and void, and calls upon the international community to continue to refrain from according any recognition or extending any co-operation to any régime imposed by the illegal South African administration upon the Namibian people, in violation of Security Council resolutions 385 (1976), 435 (1978), 439 (1978), 532 (1983) and 566 (1985) and other relevant resolutions of the Council and the General Assembly;

6. *Demands* that the racist régime of South Africa immediately rescind the aforementioned illegal and unilateral action;

7. *Further 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;

8. *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 the Territory;

9. *Rejects* all manoeuvres aimed at diverting attention from the central issue of the decolonization of Namibia by introducing East-West confrontation to the detriment of the legitimate aspirations of the Namibian people to self-determination, freedom and national independence;

10. *Strongly condemns and rejects* the persistent attempts by South Africa to establish a “linkage” or “parallelism” between the independence of Namibia, in accordance with Security Council resolution 435 (1978) and any extraneous and irrelevant issues, in particular the presence of Cuban forces in Angola, and emphasizes

⁹⁴ See resolution ES-8/2.

⁹⁵ Official Records of the Security Council, Thirty-eighth Year, Supplement for October, November and December 1983, document S/16237.

⁹⁶ *Ibid.*, Fortieth Year, Supplement for April, May and June 1985, document S/17242.

⁹⁷ *Ibid.*, Supplement for July, August and September 1985, document S/17442.

unequivocally that all such attempts are designed to delay further the independence of Namibia and that they constitute a gross and unwarranted interference in the internal affairs of Angola;

11. *Demands* that racist South Africa desist from its reprehensible position in order to allow Namibia to attain its long overdue independence;

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

13. *Requests* the Security Council to exercise its authority with regard to the implementation of its resolutions 385 (1976), 435 (1978), 532 (1983), 539 (1983) and 566 (1985), 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;

14. *Strongly condemns* the use of the veto by the two Western permanent members of the Security Council on 15 November 1985, as a result of which the Council was prevented from taking effective measures under Chapter VII of the Charter of the United Nations against South Africa, and appeals to them to desist from further misuse of the veto;

15. *Strongly urges* the Security Council, in view of the persistent refusal by the racist régime of South Africa to comply with the resolutions and decisions of the United Nations on the question of Namibia, particularly Security Council resolutions 385 (1976), 435 (1978), 539 (1983) and 566 (1985), and, in the light of the serious threat to international peace and security posed by South Africa, to impose comprehensive mandatory sanctions against that country as provided for in Chapter VII of the Charter of the United Nations;

16. *Calls upon* the Western permanent members of the Security Council to support the imposition of enforcement measures by it in order to ensure South Africa's compliance with the resolutions of the Council;

17. *Calls upon* all States, the specialized agencies and other organizations of the United Nations system, corporations, institutions, non-governmental organizations and individuals, pending the imposition by the Security Council of comprehensive mandatory sanctions against the racist régime of South Africa under Chapter VII of the Charter, to cease all co-operation with that régime in the political, economic, diplomatic, military, nuclear, cultural, sports and other fields;

18. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*115th plenary meeting
13 December 1985*

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,⁸³

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 2145 (XXI) of 27 October 1966, by which it decided to terminate the Mandate of South Africa over Namibia and to place the Territory under the direct responsibility of the United Nations,

Recognizing that 1986 will mark the twentieth anniversary of the termination by the General Assembly of the Mandate of South Africa over Namibia and the assumption by the United Nations of direct responsibility for the Territory,

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 Final Document containing the Declaration and Programme of Action, adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Vienna from 3 to 7 June 1985,⁴²

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 kinds of schemes through which South Africa attempts to perpetuate its illegal presence in Namibia;

(d) Ensure non-recognition of any administration or entity installed at Windhoek not ensuing 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 resolutions 385 (1976) of 30 January 1976, 435 (1978) of 29 September 1978, 439 (1978) of 13 November 1978, 532

(1983) of 31 May 1983, 539 (1983) of 28 October 1983 and 566 (1985) of 19 June 1985;

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

5. *Decides* that the United Nations Council for Namibia shall send missions of consultation to Governments in order to co-ordinate efforts for the implementation of resolutions of the United Nations on the question of Namibia and to mobilize support for the Namibian cause;

6. *Decides further* that the United Nations Council for Namibia shall 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;

7. *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;

8. *Requests* all committees and other subsidiary bodies of the General Assembly and of the Economic and Social Council to continue to invite 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;

9. *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;

10. *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;

11. *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;

12. *Requests* the United Nations Council for Namibia, in its capacity as the legal Administering Authority for Namibia, to accede to any international conventions, as it may deem appropriate in close consultation with the South West Africa People's Organization;

13. *Requests* the United Nations Council for Namibia to promote and secure the implementation of the Final Document adopted at its extraordinary plenary meetings held at Vienna;

14. *Takes note* of the call for action, appeals for action, conclusions and recommendations adopted by the regional symposia and seminars,⁹⁸ the Final Document adopted at Vienna and the Plan adopted by the Conference on the Intensification of International Action for the Independence of Namibia, held in New York from 11 to 13 September 1985;⁹⁹

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

(a) Consult regularly with the leaders of the South West Africa People's Organization by inviting them to New York and by sending high-level missions to the headquarters of that organization, whenever necessary, in order to review the progress of the liberation struggle in Namibia;

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

(c) Review the compliance of Member States with the relevant resolutions and decisions of the United Nations relating to Namibia and, taking into account the advisory opinion of the International Court of Justice of 21 June 1971,⁸⁵ prepare annual reports on the subject with a view to recommending appropriate policies to the General Assembly, in order to counter the support which those States give the illegal South African administration in Namibia;

(d) Take all measures to ensure the full implementation 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;⁸⁹

(e) Consider the illegal activities of foreign economic interests, particularly the transnational corporations operating in Namibia, including the exploitation of and trade in Namibian uranium with a view to recommending appropriate policies to the General Assembly, in order to put an end to such activities;

(f) Undertake measures to ensure the closure of the so-called information offices created by the illegal South African occupation régime in certain Western countries for promoting its puppet institutions in Namibia, in violation of the resolutions and decisions of the United Nations on the question of Namibia;

(g) Notify the Governments of States whose corporations, whether public or private, operate in Namibia of the illegality of such operations and urge them to take measures to end such operations;

(h) Consider sending missions of consultation to Governments of States whose corporations have investments in Namibia in order to persuade them to take all possible measures to terminate such investments;

(i) Contact institutions and municipalities to encourage them to divest their investments in Namibia and South Africa;

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

(k) Continue to draw the attention of States, the specialized agencies and private corporations to Decree No. 1 for the Protection of the Natural Resources of Namibia, with a view to ensuring their compliance with the Decree;

(l) Organize international and regional activities, as required, in order to obtain relevant information on all aspects of the situation in and relating to Namibia, in particular the exploitation of the people and resources of Namibia by South African and foreign economic interests, and to expose such activities, with a view to intensifying active support for the Namibian cause;

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

⁹⁸ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 24 (A/40/24)*, part two, chap. III.

⁹⁹ A/AC.131/191.

(n) 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 that 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 on all matters of interest to the Namibian people;

19. *Requests* the United Nations Council for Namibia to facilitate the participation of the liberation movements recognized by the Organization of African Unity in meetings of the Council away from United Nations Headquarters, whenever such participation is deemed necessary;

20. *Decides* that an International Conference for the Immediate Independence of Namibia shall be held in Western Europe in 1986, preceding the special session of the General Assembly on the question of Namibia;

21. *Requests* the Secretary-General to organize the above-mentioned Conference in co-operation with the United Nations Council for Namibia and, in this connection, to appoint, in consultation with the Council, a Secretary-General of the Conference and provide other necessary staff and services for the Conference;

22. *Decides* that, in order to expedite training of the personnel required for an independent Namibia, qualified Namibians should be given opportunities to develop further their skills in the work of the United Nations Secretariat and the specialized agencies and other organizations of the United Nations system, and authorizes the United Nations Council for Namibia, in consultation with the South West Africa People's Organization, to take, on an urgent basis, necessary action towards that end;

23. *Requests* the Secretary-General, in consultation with the President of the United Nations Council for Namibia, to review the personnel requirements and the 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;

24. *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 the Office.

115th plenary meeting
13 December 1985

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 Namibia⁸³ 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,⁸⁴

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

Recalling its resolutions 2145 (XXI) of 27 October 1966, 2248 (S-V) of 19 May 1967 and 39/50 A to E of 12 December 1984, as well as all other resolutions of the General Assembly and the Security Council relating to Namibia,

Underlining the fact that, twenty years after the termination by the General Assembly of the Mandate of South Africa over Namibia and the assumption by the United Nations of direct responsibility for the Territory, the racist régime of South Africa continues illegally to occupy the Territory in violation of the relevant resolutions and decisions of the United Nations,

Underlining that 1986 will mark the twentieth anniversary of the launching of the armed struggle by the Namibian people under the leadership of the South West Africa People's Organization, the sole and authentic representative of the Namibian people,

Strongly condemning the racist régime of South Africa for its continued illegal occupation of the international Territory of Namibia twenty years after the termination by the General Assembly of the Mandate of South Africa over Namibia and the assumption of direct responsibility by the United Nations for Namibia,

Taking into consideration the Final Document containing the Declaration and Programme of Action, adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Vienna from 3 to 7 June 1985,⁴²

Taking into consideration also the call for action, appeals for action, conclusions and recommendations adopted by the regional symposia and seminars⁹⁸ and the Plan adopted by the Conference on the Intensification of International Action for the Independence of Namibia, held in New York from 11 to 13 September 1985,⁹⁹

Strongly condemning the continued assistance rendered by certain States to South Africa in the political, economic, diplomatic, military, nuclear, cultural, sports and other fields, and expressing its conviction that this assistance should be exposed by the United Nations Council for Namibia by all the means available to it, with a view to bringing an end to such assistance,

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 worldwide 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,

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,

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,

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 and intensifying the international campaign for the imposition of comprehensive mandatory sanctions against South Africa under Chapter VII of the Charter of the United Nations;

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 denounce all acts of collaboration with the South African racists in the political, economic, diplomatic, military, nuclear, cultural, sports and other fields and, to this end, requests the United Nations Council for Namibia, in co-operation with the Department of Public Information, to include in its programme of dissemination of information for 1986 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 the English, French, German and Spanish languages, designed to draw the attention of world public opinion to the current situation in and around Namibia;

(c) Production and dissemination of radio programmes in English and the local languages of Namibia, designed to counter the hostile propaganda of the racist régime of South Africa;

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

(e) Placement of advertisements in newspapers and magazines;

(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) Production and dissemination of booklets on the activities of the Council, including two booklets on Namibia;

(j) Production and wide dissemination of an up-to-date 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, relevant documents of the Movement of Non-Aligned Countries and the Organization of African Unity and decisions, declarations and communiqués of the front-line States on Namibia;

(k) Publicity for, and distribution of, an indexed reference book on transnational corporations which plunder the natural and human resources of Namibia, and on the profits extracted from the Territory;

(l) Production and wide dissemination, on a monthly basis, of a bulletin containing analytical and updated information intended to mobilize maximum support for the Namibian cause;

(m) Production and dissemination, on a weekly basis, of an information newsletter containing updated information on developments in and relating to Namibia, in support of the Namibian cause;

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

(o) Organization of media encounters and press conferences on developments relating to Namibia;

(p) Preparation, in consultation with the South West Africa People's Organization, of a list of Namibian political prisoners;

5. *Requests* the United Nations Council for Namibia to continue to organize, in co-operation with the Department of Public Information, journalists' encounters prior to the activities of the Council during 1986, in order to mobilize further international public 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;

6. *Requests* the United Nations Council for Namibia to assist the South West Africa People's Organization in the production, translation into all the official languages of the United Nations and distribution, of material related to Namibia;

7. *Requests* the United Nations Council for Namibia to organize, at the conclusion of the International Conference for the Immediate Independence of Namibia, to be held in Western Europe in 1986, a workshop for non-governmental organizations, parliamentarians, trade unionists, academics and media representatives concerned with the question of Namibia, at which the participants will consider their contribution to the implementation of the decisions of the Conference;

8. *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;

9. *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 1986 covering the activities of dissemination of information on Namibia, followed by periodic reports on the programme undertaken, including details of expenses incurred;

10. *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 1986-1987 relating to the Department of Public Information, all the

activities of the Department relating to the dissemination of information on Namibia and to direct the Department to submit to the United Nations Council for Namibia a detailed report on the utilization of the allocated funds;

11. *Requests* the Secretary-General to direct the Department of Public Information to disseminate in 1986 the list of Namibian political prisoners, in order to intensify international pressure for their immediate and unconditional release;

12. *Requests* the Secretary-General to direct the Department of Public Information to give the widest possible publicity to, and disseminate information on, the activities undertaken in the context of the twentieth anniversary of the termination by the General Assembly of the Mandate of South Africa over Namibia and the assumption by the United Nations of direct responsibility for the Territory and the launching of the armed struggle by the South West Africa People's Organization, the sole and authentic representative of the Namibian people;

13. *Decides*, in the context of the twentieth anniversary of the launching of the armed struggle by the South West Africa People's Organization, the sole and authentic representative of the Namibian people, the termination by the General Assembly of the Mandate of South Africa over Namibia and the assumption by the United Nations of direct responsibility for the Territory, to request the United Nations Council for Namibia:

(a) To organize, in close consultation with the South West Africa People's Organization and in co-operation with the Department of Public Information, exhibitions on the heroic struggle of the Namibian people for self-determination and genuine national independence;

(b) To undertake activities, in consultation with the South West Africa People's Organization and in co-operation with non-governmental organizations, to mark those anniversaries;

(c) To organize an international campaign to boycott Namibian and South African products, in co-operation with non-governmental organizations, as part of its efforts to implement Decree No. 1 for the Protection of the Natural Resources of Namibia;⁸⁹

14. *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 and around Namibia and the obligation of Governments and peoples to assist in the struggle of Namibia for independence;

15. *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 continue 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;

16. *Requests* all Member States to observe Namibia Day in a befitting manner by giving the widest possible publicity to and dissemination of information on Namibia, including the issuance of special postage stamps for the occasion;

17. *Requests* the Secretary-General to direct the United Nations Postal Administration to issue a special postage stamp on Namibia, before the end of 1986, in observance of the twentieth anniversary of the termination of the Mandate of South Africa over Namibia and the assumption by the United Nations of direct responsibility for the Territory;

18. *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, under the leadership of the South West Africa People's Organization, their sole and authentic representative;

19. *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 countries, in order to ensure better co-operation and co-ordination among non-governmental organizations working in support of the Namibian cause and against *apartheid*;

20. *Requests* the United Nations Council for Namibia to co-operate closely with relevant intergovernmental organizations, in order to increase the awareness of the international community regarding the twentieth anniversary of the assumption by the United Nations of direct responsibility for Namibia and regarding the continued illegal occupation of that Territory by the racist régime of South Africa;

21. *Decides* to allocate the sum of \$500,000 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 taken in consultation with the South West Africa People's Organization.

*115th plenary meeting
13 December 1985*

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,¹⁰⁰

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,

¹⁰⁰ *Official Records of the General Assembly, Fortieth Session, Supplement No. 24 (A/40/24), part two, chap. VIII and chap. IX, sect. B.*

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 its resolution 37/233 E of 20 December 1982, by which it approved amendments to that Charter,¹⁰¹

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 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 forty-first session on the programmes and activities undertaken through the United Nations Fund for Namibia;

3. Decides that the United Nations Fund for Namibia, which comprises the General Account, the United Nations Institute for Namibia Account and the Nationhood Programme Account, 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 contributions to the United Nations Fund for Namibia to support the activities under the General Account, the activities of 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. 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 more generous voluntary contributions to the General Account, the Nationhood Programme Account and the United Nations Institute for Namibia Account of the United Nations Fund for Namibia in view of the increased activities undertaken through the Fund 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;

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

7. Decides to allocate as a temporary measure to the United Nations Fund for Namibia the sum of \$1.5 million from the regular budget of the United Nations for 1986;

8. Requests the Office of the United Nations Commissioner for Namibia, in order to mobilize additional resources, to formulate, in consultation with the South West Africa People's Organization, a programme of assistance to the Namibian people to be undertaken by means of projects co-financed by Governments and non-governmental organizations;

9. 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 on the basis of procedures which will reflect the role of the United Nations Council for Namibia as the legal Administering Authority for Namibia;

10. 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) Planning and initiating new project proposals in cooperation with, and at the request of, the Council;

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

11. Requests the United Nations Council for Namibia to continue and intensify its programme of field attachments, enabling Namibians trained under various programmes to gain practical on-the-job experience in governments and institutions in various countries, particularly in Africa;

12. Appeals to all Governments, specialized agencies and other organizations and institutions of the United Nations system, non-governmental organizations and individuals to make generous contributions to the United Nations Fund for Namibia in order to support the field attachment programme and to meet the required needs;

13. 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;

14. Notes with appreciation the decision by the Governing Council of the United Nations Development Programme to maintain at least at the same level, on an exceptional basis, the indicative planning figure for Namibia for the 1987-1991 programming cycle;

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

16. Expresses its appreciation for the assistance provided by the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the World Food Programme to Namibian refugees, and

¹⁰¹ 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.

requests them to expand their assistance in order to provide for the basic needs of the refugees;

17. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system which have waived agency support costs in respect of projects in favour of Namibians, financed from the United Nations Fund for Namibia and other sources, and urges those that have not yet done so to take appropriate steps in this regard;

18. *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;

19. *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 policies and contingency plans regarding the transitional and post-independence phases of the Programme;

20. *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;

21. *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;

22. *Requests* the United Nations Council for Namibia, through the United Nations Institute for Namibia, to finalize, publish and disseminate at an early date a comprehensive reference book on Namibia covering all aspects of the question of Namibia as considered by the United Nations since its inception;

23. *Notes with appreciation* the completion by the United Nations Institute for Namibia, 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 commends the Secretary-General for providing substantive support through the Office of the Commissioner for the preparation of that document;

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

25. *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.

*115th plenary meeting
13 December 1985*

F

SPECIAL SESSION OF THE GENERAL ASSEMBLY
ON THE QUESTION OF NAMIBIA

The General Assembly,

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

Recalling its resolution 2145 (XXI) of 27 October 1966, by which it decided to terminate the Mandate of South Africa over 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,

Recalling Security Council resolutions relating to Namibia, particularly resolutions 385 (1976) of 30 January 1976 and 435 (1978) of 29 September 1978, as well as subsequent resolutions relating to Namibia,

Gravely concerned that, twenty years after the termination by the General Assembly of the Mandate of South Africa over Namibia and the assumption by the United Nations of direct responsibility for the Territory, the racist régime of South Africa continues illegally to occupy the Territory in violation of the relevant resolutions and decisions of the United Nations,

Indignant at the continued non-implementation of Security Council resolution 435 (1978), owing to South Africa's intransigence,

Strongly condemning South Africa for its persistent and arrogant defiance of the resolutions and decisions of the United Nations,

Decides to hold a special session on the question of Namibia before its forty-first session, on a date to be determined by the Secretary-General in consultation with the United Nations Council for Namibia.

*115th plenary meeting
13 December 1985*

40/168. The situation in the Middle East

A

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, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983 and 39/146 A to C of 14 December 1984,

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, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984,

Taking note of the reports of the Secretary-General of 11 March 1985,⁸⁰ 24 September 1985¹⁰² and 22 October 1985,⁸¹

Reaffirming the need for continued collective support for the resolutions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,¹⁰³ reiterating its previous resolutions regarding the Palestinian question and its support for the Palestine Liberation Organization as the sole, legitimate representative of the Palestinian people, and considering that the convening of an International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other relevant resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

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 Palestinian and other Arab 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 1949,¹⁰⁴ to all the occupied Palestinian and other Arab territories, including Jerusalem,

Reaffirming also all relevant United Nations resolutions which stipulate 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 the continuing Israeli policies 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,

Stressing once again the great importance of the time factor in the endeavours to achieve an early 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 and on the basis of the 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, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983 and 39/49 A to D of 11 December 1984;

4. *Considers* 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 1982,¹⁰³ and reiterated by the Extraordinary Summit Conference of the Arab States held at Casablanca, Morocco, from 7 to 9 August 1985,¹⁰⁵ as well as relevant efforts and action to implement the Fez Plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in 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 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution 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 as 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 and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, including expropriation, the establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which

¹⁰³ See A/37/696-S/15510, annex.

¹⁰⁴ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

¹⁰⁵ See A/40/564 and Corr.1, annex.

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 relative 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, and the continued supply of modern arms and *matériel* to Israel, augmented by substantial economic aid, including the recently concluded Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and threaten the security of the region;

11. *Calls once more upon* all States to put an end to the flow to Israel of any military, economic, financial and technological 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 its call* for the convening of an International Peace Conference on the Middle East under the auspices of the United Nations and on the basis of its relevant resolutions — as specified in paragraph 5 of the Geneva Declaration on Palestine¹⁰⁶ and endorsed by General Assembly resolution 38/58 C of 13 December 1983;

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 forty-first session a comprehensive report covering the developments in the Middle East in all their aspects.

118th plenary meeting
16 December 1985

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 22 October 1985,⁸¹

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, 37/123 A of 16 Decem-

ber 1982, 38/180 A of 19 December 1983 and 39/146 B of 14 December 1984,

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 1949,¹⁰⁴ 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 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, 37/123 A, 38/180 A and 39/146 B;

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 1907,¹⁰⁷ 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 for 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

¹⁰⁶ 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.

¹⁰⁷ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplotes* 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 deplotes* 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 organizations 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 forty-first session on the implementation of the present resolution.

118th plenary meeting
16 December 1985

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983 and 39/146 C of 14 December 1984, 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,

Having considered the report of the Secretary-General of 22 October 1985,⁸¹

1. *Determines* 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. *Deplotes* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

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 forty-first session on the implementation of the present resolution.

118th plenary meeting
16 December 1985

40/237. Review of the efficiency of the administrative and financial functioning of the United Nations

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations,

Recognizing that the Organization is based on the principle of the sovereign equality of all its Members,

Mindful of the vital role of the United Nations in the maintenance of international peace and security and in the promotion of development and international co-operation,

Convinced that the improvement of the efficiency of the administrative and financial functioning of the United Nations could help it to attain the purposes and implement the principles of the Charter,

Considering the unanimous support for the United Nations, expressed by Heads of State or Government or their special envoys and by the representatives of Member States during the commemoration of the fortieth anniversary of the United Nations,

Noting that all participants stressed the need to promote confidence in the United Nations and enhance the political will of Member States to render more positive support to the Organization,

Reaffirming the necessity of securing, in the employment of the Secretariat staff, the highest standards of efficiency, competence and integrity, and the importance of recruiting the staff based on the principle of equitable geographical distribution,

Noting with appreciation the efforts of the Secretary-General, as the chief administrative officer of the Organization, to improve the efficiency and effectiveness of the Secretariat,

Bearing in mind the work of the relevant subsidiary organs of the General Assembly,

Taking fully into account the views expressed during the fortieth session,

1. *Expresses its conviction* that an overall increase in efficiency would further enhance the capacity of the United

Nations to attain the purposes and implement the principles of the Charter of the United Nations;

2. *Decides* to establish a Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations with a term of one year, to carry out in full accordance with the principles and provisions of the Charter the following tasks:

(a) To conduct a thorough review of the administrative and financial matters of the United Nations, with a view to identifying measures for further improving the efficiency of its administrative and financial functioning, which would contribute to strengthening its effectiveness in dealing with political, economic and social issues;

(b) To submit to the General Assembly, before the opening of its forty-first session, a report containing the observations and recommendations of the Group;

3. *Requests* the President of the General Assembly, in consultation with the regional groups, to appoint as soon as possible the members of the Group of High-level Intergovernmental Experts with due regard to equitable geographical distribution;

4. *Decides* that the Group will consist of eighteen members, and requests the Secretary-General to convene a meeting of the Group as soon as possible to enable it to elect its officers;

5. *Requests* the Secretary-General to provide the Group with the necessary staff and services;

6. *Also requests* the Secretary-General to provide full assistance to the Group, in particular by submitting his views and providing information necessary to conduct the review;

7. *Invites* the relevant subsidiary organs of the General Assembly to submit to the Group, through their chairmen, information and comments on matters pertaining to their work;

8. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Review of the efficiency of the administrative and financial functioning of the United Nations: report of the Group of High-level

Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations".

121st plenary meeting
18 December 1985

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The President of the General Assembly subsequently informed the Secretary-General¹⁰⁸ that, in accordance with paragraph 3 of the above resolution, he had appointed the following eighteen persons as members of the Group of High-level Intergovernmental Experts:

Mr. Mark ALLEN (*United Kingdom of Great Britain and Northern Ireland*),

Mr. Maurice BERTRAND (*France*),

Mr. Bi Jilong (*China*),

Mr. Lucio GARCÍA DEL SOLAR (*Argentina*),

Mr. Ignac GOLOB (*Yugoslavia*),

Mr. Natarajan KRISHNAN (*India*),

Mr. Kishore MAHBUBANI (*Singapore*),

Mr. Hugo B. MARGÁIN (*Mexico*),

Mr. Elleck MASHINGAIDZE (*Zimbabwe*),

Mr. Fakhreddin MOHAMED (*Sudan*),

Mr. Ndam NJOYA (*Cameroon*),

Mr. Vasily Stepanovich SAFRONCHUK (*Union of Soviet Socialist Republics*),

Mr. Shizuo SAITO (*Japan*),

Mr. Edward O. SANU (*Nigeria*),

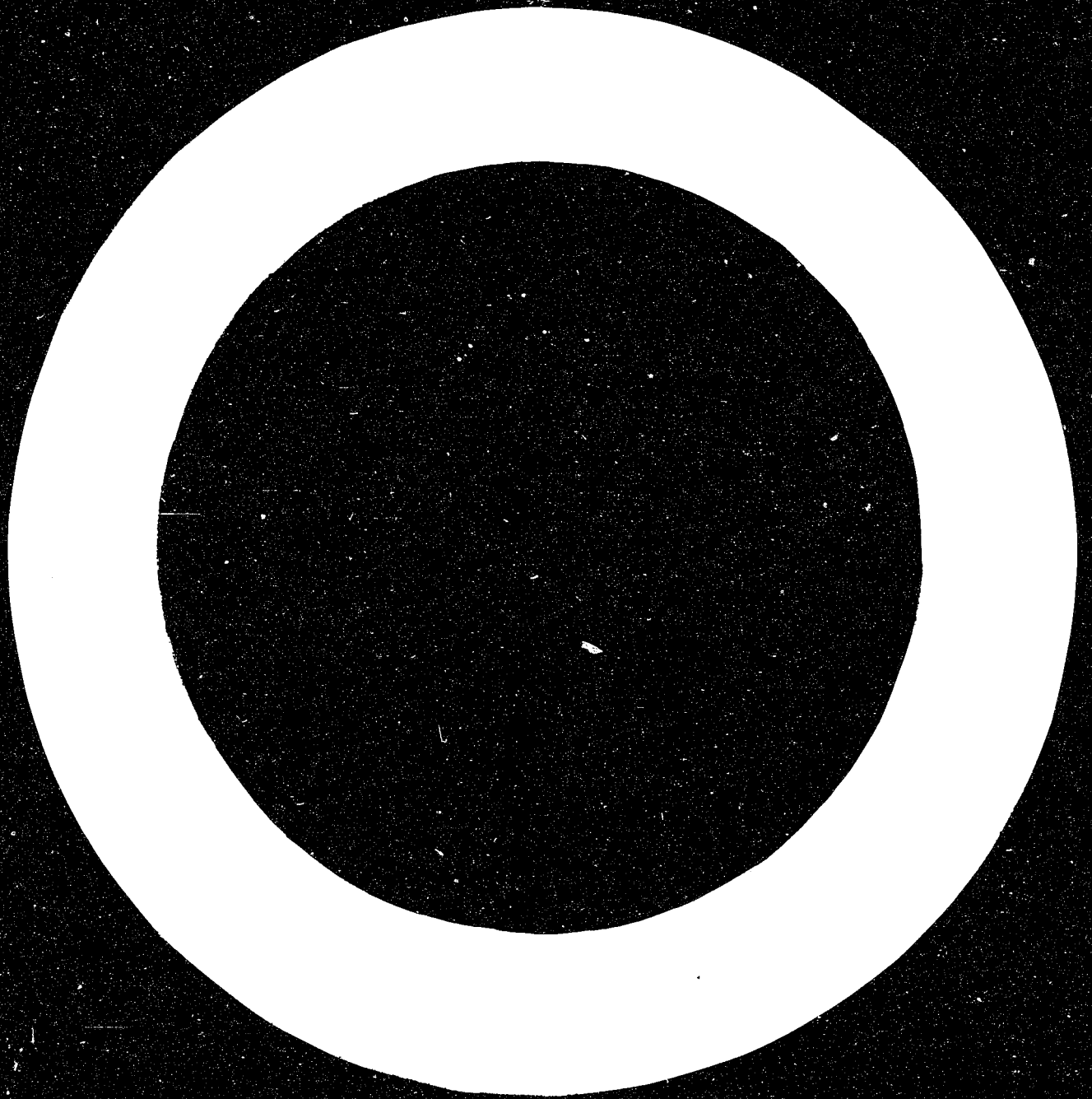
Mr. David SILVEIRA DA MOTA (*Brazil*),

Mr. José S. SORZANO (*United States of America*),

Mr. Tom VRAALSEN (*Norway*),

Mr. Layachi YAKER (*Algeria*).

¹⁰⁸ A/40/1085 and Corr.1 and Add.1.



III. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIRST COMMITTEE¹

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40/18. Bilateral nuclear-arms negotiations*The General Assembly,*

Noting the agreement between the Union of Soviet Socialist Republics and the United States of America to begin negotiations on "a complex of questions concerning space and nuclear arms — both strategic and intermediate-range —" with the objective "to work out effective agreements aimed at preventing an arms race in space and terminating it on Earth", which negotiations ultimately "should lead to the complete elimination of nuclear arms everywhere",²

Deeply concerned by the fact that humanity is confronted today with an unprecedented threat to its survival arising from the massive and competitive accumulation of the most destructive weapons ever produced, especially nuclear weapons more than sufficient to destroy all life on Earth,

Conscious that such a situation is all the more difficult to justify if one takes into account that there already exists an international consensus that a nuclear war cannot be won and must never be fought,

1. Expresses its hope that the forthcoming meeting between the two leaders of the Union of Soviet Socialist Republics and the United States of America will give a decisive impetus to their current bilateral negotiations so that these negotiations produce early and effective agreements on the halting of the nuclear-arms race with its negative effects on international security as well as on social and economic development, reduction of their nuclear arsenals, prevention of an arms race in outer space and the use of outer space for peaceful purposes;

2. Invites the two negotiating parties to keep the General Assembly duly informed of the progress of their negotiations;

3. Reaffirms that in these negotiations the vital interests of all peoples, including those of the two negotiating parties, are at stake;

4. Further reaffirms that bilateral negotiations do not in any way diminish the urgent need to initiate and pursue multilateral negotiations on the cessation of the nuclear-arms race and nuclear disarmament and on the prevention of an arms race in outer space;

5. Requests the Secretary-General to convey this resolution to the leaders of the Union of Soviet Socialist Republics and the United States of America before their meeting at Geneva on 19 and 20 November 1985.

80th plenary meeting
18 November 1985

40/79. Implementation of General Assembly resolution 39/51 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, Y-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, 37/71 of 9 December 1982 and 38/61 of 15 December 1983 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition

of Nuclear Weapons in Latin America (Treaty of Tlatelolco),³

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 four States that *de jure* or *de facto* are internationally responsible for those territories may become parties,

Considering that it would not be fair if the peoples of some of those territories were deprived of such benefits without being given the opportunity to express their opinion in this connection,

Recalling that three of the States to whom Additional Protocol I is opened — the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands and the United States of America — became parties to the Protocol 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 and which appears all the more advisable, since it is the only one of the four States to which the Protocol is open that is not yet party to it;

3. Decides to include in the provisional agenda of its forty-first session an item entitled "Implementation of General Assembly resolution 40/79 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

113th plenary meeting
12 December 1985

40/80. Cessation of all test explosions of nuclear weapons

A

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 nearly fifty 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 eight 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 as early as 1972 the Secretary-General declared that all the technical and scientific aspects of the problem have been so fully explored that only a political

² See *Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1)*, appendix II (CD/642/Appendix II/Vol. II), documents CD/570 and CD/571.

³ United Nations, *Treaty Series*, vol. 634, No. 9068, p. 326.

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,

Recalling also that the Secretary-General, addressing a plenary meeting of the General Assembly on 12 December 1984,⁴ after appealing for a renewed effort towards a comprehensive test-ban treaty, emphasized that no single multilateral agreement could have a greater effect on limiting the further refinement of nuclear weapons and that a comprehensive test-ban treaty is the litmus test of the real willingness to pursue nuclear disarmament,

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 Water⁵ undertook in article I of that Treaty to conclude a treaty resulting in the permanent banning of all nuclear-test explosions, including all those explosions underground, and that such an undertaking was reiterated in 1968 in the preamble to the Treaty on the Non-Proliferation of Nuclear Weapons,⁶ article VI of which further embodies their solemn and legally binding commitment to take effective measures relating to the cessation of the nuclear-arms race at an early date and to nuclear disarmament,

Bearing in mind that the same three nuclear-weapon States, in the report they submitted on 30 July 1980 to the Committee on Disarmament after four years of trilateral negotiations, stated, *inter alia*, that they were “mindful of the great value for all mankind that the prohibition of all nuclear-weapon test explosions in all environments will have” as well as “conscious of the important responsibility placed upon them to find solutions to the remaining problems”, adding furthermore that they were “determined to exert their best efforts and necessary will and persistence to bring the negotiations to an early and successful conclusion”,⁷

Noting that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration⁸ adopted on 21 September 1985, called upon the nuclear-weapon States parties to the Treaty to resume trilateral negotiations in 1985 and called upon all the nuclear-weapon States to participate in the urgent negotiation and conclusion of a comprehensive nuclear-test-ban treaty, as a matter of the highest priority, in the Conference on Disarmament,

Bearing in mind that the multilateral negotiation of such a treaty in the Conference on Disarmament must cover all the various interrelated problems which it will be necessary to solve in order that the Conference may transmit a complete draft treaty to the General Assembly,

1. *Reiterates once again its grave concern* that nuclear-weapon tests have not yet stopped, in spite of 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 nuclear-arms race and that the commencement of negotiations on such a treaty is an indispensable element of the obligations of States parties to the Treaty on

⁴ See *Official Records of the General Assembly, Thirty-ninth Session, Plenary Meetings, 97th meeting.*

⁵ United Nations, *Treaty Series*, vol. 480, No. 6964, p. 43.

⁶ Resolution 2373 (XXII), annex.

the Non-Proliferation of Nuclear Weapons under article VI of that Treaty;

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 their undertakings to seek to achieve the early discontinuance of all test explosions of nuclear weapons for all time and to expedite negotiations to this end;

5. *Appeals to all States members of the Conference on Disarmament*, in particular to 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 promote the establishment by the Conference at the beginning of its 1986 session of an *ad hoc* committee to carry out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;

6. *Recommends to the Conference on Disarmament* that it instruct such an *ad hoc* committee to establish two working groups which will deal, respectively, with the following interrelated questions:

(a) Working Group I — Structure and scope of the treaty;

(b) Working Group II — Compliance and verification;

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, for which they would then proceed to negotiate the establishment of appropriate means of verification;

8. *Decides to include in the provisional agenda of its forty-first session an item entitled* “Cessation of all nuclear-test explosions”.

113th plenary meeting
12 December 1985

B

The General Assembly,

Bearing in mind the determination, proclaimed since 1963 in the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water,⁵ to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Bearing also in mind that in 1968 the Treaty on the Non-Proliferation of Nuclear Weapons⁶ recalled such determination and included in its article VI an undertaking by each of its parties to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date,

Recalling that in its resolution 2028 (XX) of 19 November 1965, adopted unanimously, it had stressed that one of the basic principles on which the treaty to prevent the proliferation of nuclear-weapons should be based was that such treaty, which was then to be negotiated, should embody an acceptable balance of mutual responsi-

⁷ See CD/139/Appendix II/Vol. II, document CD/130.

⁸ *Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.III/64/1)* (Geneva, 1985), annex I.

bilities and obligations of the nuclear and non-nuclear Powers,

Recalling also that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration⁸ adopted by consensus on 21 September 1985, expressed its deep regret that a comprehensive multilateral nuclear-test-ban treaty had not been concluded so far and called for the urgent negotiation and conclusion of such a treaty as a matter of the highest priority,

Noting that article II of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water provides a procedure for the consideration and eventual adoption of amendments to the Treaty by a conference of its parties,

Recommends that States parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water carry out urgent consultations among themselves as to the advisability and most appropriate method of taking advantage of the provisions of its article II for the conversion of the partial nuclear-test-ban treaty into a comprehensive nuclear-test-ban treaty.

*113th plenary meeting
12 December 1985*

40/81. 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 all nuclear testing by all States in all environments for all time 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 Water⁵ 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 the parties expressed their determination to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Recalling also that the parties to the Treaty on the Non-Proliferation of Nuclear Weapons⁶ recalled the determination expressed by the parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water in its preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to that end, declaring their intention to achieve at the earliest possible date the cessation of the nuclear-arms race and to undertake effective measures in the direction of nuclear disarmament,

Noting that in the Final Declaration⁸ of the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, regret was expressed that a comprehensive multilateral nuclear-test-ban treaty banning all nuclear tests by all States in all environments for all time had not been concluded and that all nuclear-weapon States were called on to participate in the

urgent negotiation and conclusion of such a treaty, as a matter of the highest priority, in the Conference on Disarmament,

Recalling further its previous resolutions on this subject,

Taking into account that part of the report of the Conference on Disarmament relating to consideration of the item entitled "Nuclear-test ban" during its session in 1985,⁹

Also taking into account relevant proposals and initiatives put forward in the Conference on Disarmament during its session in 1985 and other proposals and actions advanced in 1985 concerning efforts to promote an end to nuclear testing,

Expressing its profound regret that, in spite of strenuous efforts, the Conference on Disarmament was unable to reach agreement on the re-establishment at its session in 1985 of an *ad hoc* committee under item 1 of its agenda, entitled "Nuclear-test ban",

Recognizing the important role of the Conference on Disarmament in the negotiation of a comprehensive nuclear-test-ban treaty,

Recognizing the importance to such a treaty of the work on a global seismic detection network, assigned by the Conference on Disarmament to the *Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events*,

Recalling paragraph 31 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ the first special session devoted to disarmament, 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 testing continues;

2. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States in all environments for all time is a matter of 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. *Urges* the Conference on Disarmament to establish at the beginning of its session in 1986 an *ad hoc* committee under item 1 of its agenda, entitled "Nuclear-test ban", to begin negotiations on a comprehensive nuclear-test-ban treaty in accordance with the following programme of work:

(a) Scope:

- (i) Comprehensive ban on nuclear explosions in all environments;
- (ii) Question of nuclear explosions for peaceful purposes;

(b) Verification:

- (i) Central importance of verification of a comprehensive test ban;
- (ii) Factors affecting verification needs;
- (iii) Means for monitoring compliance:
 - a. National technical means;

⁹ Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), sect. III.A.

¹⁰ Resolution S-10/2.

- b. International seismic monitoring network:
 - i. Determination of capabilities for monitoring compliance;
 - ii. Steps for establishment and improvement;
 - iii. Institutional, administrative and financial arrangements for establishment, testing and operation;
 - iv. Relationship to an effective verification system;
- c. Other means, including an international atmospheric radioactivity monitoring network;
- d. On-site inspection;
- (iv) Specific verification problems and their solutions, including:
 - a. Monitoring large land masses;
 - b. Methods of possible evasion;
 - c. Chemical explosions;
- (c) Compliance:
 - (i) Procedures and mechanisms for consultation and co-operation;
 - (ii) Co-ordinating body, e.g. committee of experts;
 - (iii) Consultative committee;
 - (iv) Series of actions triggered by suspicion or violation, including complaints procedures;
- 5. *Further urges* the Conference on Disarmament:
 - (a) To take immediate steps for the establishment, with the widest possible participation, of an international seismic monitoring network to determine the capabilities of such a network for monitoring and verifying compliance with a comprehensive nuclear-test-ban treaty, taking into account the work performed by the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events;
 - (b) To initiate detailed investigation of other measures to monitor and verify compliance with such a treaty, including an international network to monitor atmospheric radioactivity;
- 6. *Urges* all members of the Conference on Disarmament, in particular the nuclear-weapon States, to co-operate within the Conference in fulfilling these tasks as called for, *inter alia*, in the Final Declaration of the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;⁸
- 7. *Calls upon* the Conference on Disarmament to report on progress to the General Assembly at its forty-first session;
- 8. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Urgent need for a comprehensive nuclear-test-ban treaty".

*113th plenary meeting
12 December 1985*

40/82. 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 1 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, 37/75 of 9 December 1982, 38/64 of 15 December 1983 and 39/54 of

12 December 1984 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, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,¹⁰

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,

Emphasizing the essential role of the United Nations in the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Having examined the report of the Secretary-General,¹¹

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 countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;⁶

2. *Calls upon* all countries 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 countries, 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 countries, 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

¹¹ A/40/442 and Add.1.

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. *Extends its thanks* to the Secretary-General for his report containing the views of parties concerned regarding the establishment of a nuclear-weapon-free zone in the region of the Middle East;¹¹

7. *Takes note* of the above-mentioned report;

8. *Requests* those parties that have not yet communicated their views to the Secretary-General to do so;

9. *Welcomes* any further comments from those parties that have already communicated their views to the Secretary-General;

10. *Requests* the Secretary-General to submit a report to the General Assembly at its forty-first session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

*113th plenary meeting
12 December 1985*

40/83. 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, 37/76 of 9 December 1982, 38/65 of 15 December 1983 and 39/55 of 12 December 1984 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 declaration 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 mean time, from any action contrary to this objective,

Further recalling that, in its resolution 3265 B (XXIX), it requested the Secretary-General to 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 Assembly¹⁰ regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

Taking note of the report of the Secretary-General,¹²

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 mean time, 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 forty-first session;

5. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

*113th plenary meeting
12 December 1985*

40/84. 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, 37/79 of 9 December 1982, 38/66 of 15 December 1983 and 39/56 of 12 December 1984,

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),¹³

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,¹⁴

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, consequent 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;

¹² A/40/473.

¹³ A/CONF.95/15 and Corr.2, annex I. For the printed text of the Convention and its Protocols see *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

¹⁴ A/40/550.

3. *Urges* all States that 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 ultimately to obtain universality of 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 Protocols and any proposals for additional protocols relating to other categories of conventional weapons not covered by the existing Protocols;

5. *Requests* the Secretary-General as 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 Convention and its Protocols;

6. *Decides* to include in the provisional agenda of its forty-first 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".

*113th plenary meeting
12 December 1985*

40/85. 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 such weapons,

Noting with satisfaction the determination of non-nuclear-weapon States in various parts of the world to prevent nuclear weapons from being introduced into their territories and to ensure the complete absence of such weapons in their respective regions, including through the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, and being anxious to encourage and contribute to the attainment of this objective,

Concerned at the continuing escalation of the arms race, in particular the nuclear-arms race having entered a qualitatively new stage, and the possibility of the use or threat of use of nuclear weapons and the danger of nuclear war,

Desirous of promoting the implementation of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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 numerous resolutions on this subject as well as the relevant part of the special report of the Committee on Disarmament¹⁵ submitted to the General Assembly at its twelfth special session,¹⁶ the second special session devoted to disarmament,

Noting that the Conference on Disarmament considered in 1985 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* Committee on this item, as reflected in the report of the Conference on Disarmament,¹⁷

Noting further that this consideration revealed that an overwhelming number of delegations, including those of the nuclear-weapon States, stressed the importance of that item and their readiness to engage in a substantive dialogue on the issue,

Recalling the proposals submitted on this subject to the General Assembly and in the Conference on Disarmament, including the drafts of an international convention, and the widespread international support for the conclusion of such a convention,

Further recalling that the idea of interim arrangements as a first step towards the conclusion of such a convention has also been considered in the Conference on Disarmament,

Welcoming once again the solemn declarations made by some nuclear-weapon States concerning non-first use of nuclear weapons, and convinced 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 the non-nuclear-weapon States having no nuclear weapons on their territories have every right to receive reliable international legal guarantees against the use or threat of use of nuclear weapons,

Being aware that unconditional guarantees by all nuclear-weapon States not to use or threaten to use nuclear weapons under any circumstances against the non-nuclear-weapon States having no nuclear weapons on their territories should constitute an integral element of a mandatory system of norms regulating the relations between the nuclear-weapon States, which bear the primary responsibility for preventing a nuclear war, thus sparing mankind from its devastating consequences,

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 and to find a common approach acceptable to all, which could be included in an international instrument of a legally binding character;

2. *Considers* that the Conference on Disarmament should continue to explore ways and means of overcoming the difficulties encountered in carrying out negotiations on this question;

3. *Requests* the Conference on Disarmament to continue active consideration on this subject, including

¹⁷ *Ibid.*, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), sect. III.F.

¹⁵ The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

¹⁶ *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2)*, sect. III.C.

through re-establishment of the *Ad Hoc* Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons as soon as practicable, at its 1986 session, 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;

4. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Conclusion of effective international arrangements on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons".

*113th plenary meeting
12 December 1985*

40/86. 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 ally 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,

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,¹⁰ 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 B of 14 December 1978, 34/85 of 11 December 1979, 35/155 of 12 December 1980, 36/95 of 9 December 1981, 37/81 of 9 December

1982, 38/68 of 15 December 1983 and 39/58 of 12 December 1984,

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 Disarmament¹⁵ 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,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its *Ad Hoc* Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons,¹⁷ with a view to reaching agreement on this item,

Noting the proposals submitted under this item in the Conference 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 1983,¹⁸ as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Fifteenth Islamic Conference of Foreign Ministers, held at Sanaa from 18 to 22 December 1984,¹⁹ calling upon the Conference on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Further noting the support expressed in the Conference 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 Conference 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 Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. *Recommends* that the Conference on Disarmament 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;

¹⁸ See A/38/132-S/15675 and Corr.1 and 2, annex, sect. I, para. 30.

¹⁹ See A/40/173-S/17033, annex I.

6. *Decides* to include in the provisional agenda of its forty-first 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".

113th plenary meeting
12 December 1985

40/87. 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,

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 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,²⁰ 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,¹⁰ the first special session devoted to disarmament, 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, as well as resolutions 37/83 of 9 December 1982, 37/99 D of 13 December 1982, 38/70 of 15 December 1983 and 39/59 of 12 December 1984,

Gravely concerned at the danger posed to all mankind by an arms race in outer space and in particular by the impending threat of the exacerbation of the current state of insecurity by developments that could further undermine international peace and security, retard the pursuit of general and complete disarmament, and risk creating obstacles to the development of international co-operation in the peaceful uses of 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 sub-

mitted to the General Assembly at its tenth special session and at its regular sessions and to the Conference on Disarmament,

Noting the grave concern expressed by the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space at the extension of an arms race into outer space and the recommendations²¹ made to the competent organs of the United Nations, in particular the General Assembly, and also to the Committee on Disarmament,¹⁵

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, bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America could make a significant contribution to such an objective, in accordance with paragraph 27 of the Final Document of the Tenth Special Session,¹⁰

Noting with satisfaction that bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America have begun in 1985, on a complex of questions concerning space and nuclear arms, both strategic and intermediate-range, and in their interrelationship, with the declared objective of working out effective agreements aimed, *inter alia*, at preventing an arms race in outer space,

Anxious that concrete results should emerge from these negotiations as soon as possible, as was urged in resolution 39/59,

Taking note of the part of the report of the Conference on Disarmament relating to this question,²²

Welcoming the establishment of an *Ad Hoc* Committee on the prevention of an arms race in outer space during the 1985 session of the Conference on Disarmament, in the exercise of the negotiating responsibilities of this sole multilateral negotiating body on disarmament, to examine, as a first step at this stage, issues relevant to the prevention of an arms race in outer space,

Mindful that consensus had not yet been reached in the Conference on Disarmament on concrete proposals for re-establishing the *ad hoc* committee on this question during the 1986 session of the Conference on Disarmament,

1. *Recalls* the obligation of all States to refrain from the threat or use of force in their space activities;

2. *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;

3. *Emphasizes* that further measures with appropriate and effective provisions for verification to prevent an arms race in outer space should be adopted by the international community;

4. *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 in the interest of maintaining international peace and security and promoting international co-operation and understanding;

5. *Requests* the Secretary-General to invite Member States to submit their views on the possibility of enhancing international co-operation in the field of preventing an arms race in outer space and the peaceful uses of outer

²⁰ Resolution 2222 (XXI), annex.

²¹ See Report of the Second United Nations Conference on the Exploration and Peaceful Use of Outer Space, Vienna, 9-21 August 1982 (A/CONF.101/10 and Corr.1 and 2), para. 426.

²² Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), sect. III.E.

space, including the desirability of establishing relevant machinery for that purpose, and to submit a report to the General Assembly at its forty-first session;

6. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

7. *Requests* the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;

8. *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 those presented in the *Ad Hoc* Committee on the prevention of an arms race in outer space at the 1985 session of the Conference and at the fortieth session of the General Assembly;

9. *Further requests* the Conference on Disarmament to re-establish an *ad hoc* committee with an adequate mandate at the beginning of its session in 1986, with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

10. *Urges* the Union of Soviet Socialist Republics and the United States of America to pursue intensively their bilateral negotiations in a constructive spirit aimed at reaching early agreement for preventing an arms race in outer space, and to advise the Conference on Disarmament periodically of the progress of their bilateral sessions so as to facilitate its work;

11. *Calls upon* all States, especially those with major space capabilities, to refrain, in their activities relating to outer space, from actions contrary to the observance of the relevant existing treaties or to the objective of preventing an arms race in outer space;

12. *Invites* Member States to transmit to the Secretary-General, not later than 1 April 1986, their views on the scope and content of the study being undertaken by the United Nations Institute for Disarmament Research²³ on disarmament problems relating to outer space and the consequences of extending the arms race into outer space, and requests the Secretary-General to convey the views of the Member States to the Advisory Board on Disarmament Studies for consideration in order to enable it, in its capacity of Board of Trustees of the Institute, to give the Institute such possible guidance with respect to the elaboration of its study as it may derive from those views;

13. *Requests* the Conference on Disarmament to report on its consideration of this subject to the General Assembly at its forty-first session;

14. *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 fortieth session;

15. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Prevention of an arms race in outer space".

113th plenary meeting
12 December 1985

40/88. Implementation of General Assembly resolution 39/60 on the immediate cessation and prohibition of nuclear-weapon tests

The General Assembly,

Deeply concerned about the intensification of the nuclear-arms race and the growing threat of nuclear war,

Recalling that over the past three decades the need for cessation and prohibition of nuclear-weapon testing has been in the focus of attention of the General Assembly,

Reaffirming its conviction that the conclusion of a multilateral treaty on the prohibition of nuclear-weapon tests by all States would constitute an indispensable 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, thus contributing to the achievement of the final goal of the complete elimination of nuclear weapons under appropriate verification,

Stressing once again that the elaboration of such a treaty is the task of the highest priority and should not be made dependent on the attainment of any other measure in the field of disarmament,

Welcoming the proposals contained in the Delhi Declaration issued on 28 January 1985 by the heads of State or Government of six States Members of the United Nations²⁴ — Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania — and their joint message of 24 October 1985 addressed to the leaders of the United States of America and the Union of Soviet Socialist Republics,²⁵

Recalling its previous resolutions on this subject, in particular resolutions 39/52 and 39/60 of 12 December 1984, by which it called for a moratorium or moratoria on all nuclear-test explosions and for the negotiation of a treaty for the prohibition of all nuclear-weapon tests,

Deeply deploring that the Conference on Disarmament has been unable to carry out negotiations with a view to reaching agreement on such a treaty,

1. *Urges* the Conference on Disarmament to proceed promptly to negotiations on all aspects of this matter, including adequate measures of verification, with the aim of preparing without delay a draft treaty that would effectively ban all test explosions of nuclear weapons by all States everywhere and would contain provisions, acceptable to all, preventing the circumvention of this ban by means of nuclear explosions for peaceful purposes;

2. *Resolutely urges* all States, and especially all nuclear-weapon States, to exert maximum efforts and exercise political will for the elaboration and conclusion without delay of such a treaty;

3. *Welcomes* the unilateral cessation by one major nuclear-weapon State of all its nuclear explosions, effective 6 August 1985, as well as the proposal for the suspension of all nuclear tests for a period of 12 months, with the possibility of its extension, contained in the joint message of 24 October 1985 addressed to the leaders of the United States of America and the Union of Soviet Socialist Republics by the Heads of State or Government of six States Members of the United Nations;

4. *Expresses its hope* that all other nuclear-weapon States will also consider joining in such a moratorium;

5. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Implementation of

²³ See A/40/725, paras. 47-54.

²⁴ A/40/114-S/16921, annex. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for January, February and March 1985*, document S/16921, annex.

²⁵ A/40/825-S/17596, annex. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for October, November and December 1985*, document S/17596, annex.

General Assembly resolution 40/88 on the immediate cessation and prohibition of nuclear-weapon tests".

*113th plenary meeting
12 December 1985*

40/89. 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 Africa²⁶ 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 its resolution 1652 (XVI) of 24 November 1961, its earliest on the subject, as well as its resolutions 2033 (XX) of 3 December 1965, 31/69 of 10 December 1976, 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, 37/74 A of 9 December 1982, 38/181 A of 20 December 1983 and 39/61 A of 12 December 1984, 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 or elsewhere,

Taking note of the report of the United Nations Institute for Disarmament Research entitled "South Africa's nuclear capability",²⁷ undertaken in co-operation with the Department for Disarmament Affairs of the Secretariat and in consultation with the Organization of African Unity, as well as the report of the Disarmament Commission,²⁸

Expressing regret that despite the threat South Africa's nuclear capability constitutes to international peace and security and, in particular, to the realization of the objective of the Declaration on the Denuclearization of Africa, the Disarmament Commission has, once again, in 1985, failed to reach a consensus on this important item on its agenda,

1. *Strongly renews 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 the implementation of the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity would be an important measure to prevent the proliferation of nuclear weapons and to promote international peace and security;

3. *Expresses once again its grave alarm* at South Africa's possession and continued development of nuclear-weapon capability;

4. *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 that enable it to frustrate the objective of

the Declaration on the Denuclearization of Africa, which seeks to keep Africa free from nuclear weapons;

5. *Calls upon* all States, corporations, institutions and individuals to desist from further collaboration with the racist régime that may enable it to frustrate the objective of the Declaration on the Denuclearization of Africa;

6. *Demands once again* that the racist régime of South Africa refrain from manufacturing, testing, deploying, transporting, storing, using or threatening to use nuclear weapons;

7. *Appeals* to all States that have the means to do so to monitor South Africa's research on and development and production of nuclear weapons, and to publicize any information in that regard;

8. *Demands once again* that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;

9. *Requests* the Secretary-General to render all necessary assistance that the Organization of African Unity may seek towards the implementation of its solemn Declaration on the Denuclearization of Africa;

10. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Implementation of the Declaration on the Denuclearization of Africa".

*113th plenary meeting
12 December 1985*

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, 37/74 B of 9 December 1982, 38/181 B of 20 December 1983 and 39/61 B of 12 December 1984,

Bearing in mind the Declaration on the Denuclearization of Africa²⁶ 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 paragraph 12 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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 the world community, faced with the urgent need to disarm,

Recalling also 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 or elsewhere,

Taking note of resolution GC(XXIX)/RES/442 on South Africa's nuclear capabilities, adopted on 27 September 1985 by the General Conference of the International Atomic Energy Agency during its twenty-ninth regular session,

Having taken note of the report of the United Nations Institute for Disarmament Research entitled "South Africa's nuclear capability",²⁷ undertaken in co-operation with the Department for Disarmament Affairs of the Secretariat

²⁶ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

²⁷ A/39/470.

²⁸ Official Records of the General Assembly, Fortieth Session, Supplement No. 42 (A/40/42).

and in consultation with the Organization of African Unity,

Expressing regret that despite the threat South Africa's nuclear capability constitutes to international peace and security and, in particular, to the realization of the objective of the Declaration on the Denuclearization of Africa, the Disarmament Commission has, once again, in 1985, failed to reach a consensus on this important item on its agenda,

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 continued its acts of aggression and subversion against the peoples of the independent States of southern Africa,

Strongly condemning the continued 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,

Recalling its decision taken at the tenth special session that the Security Council should take appropriate effective steps to prevent the frustration of the implementation of the decision of the Organization of African Unity for the denuclearization of Africa,²⁹

Stressing the need to preserve peace and security in Africa by ensuring that the continent is a nuclear-weapon-free zone,

1. *Condemns* the massive build-up of South Africa's military machine, in particular 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 African States faced with the danger of South Africa's nuclear capability;

3. *Reaffirms* that the acquisition of nuclear-weapon capability by the racist régime 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. *Condemns* all forms of nuclear collaboration by any State, corporation, institution or individual with the racist régime of South Africa, in particular the decision 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;

5. *Demands* that South Africa and all other foreign interests put an immediate end to the exploration for and exploitation of uranium resources in Namibia;

6. *Calls upon* all States, corporations, institutions and individuals to terminate forthwith all forms of military and nuclear collaboration with the racist régime;

7. *Requests* the Disarmament Commission to consider as a matter of priority during its session in 1986 South Africa's nuclear capability, taking into account, *inter alia*, the findings of the report of the United Nations Institute

for Disarmament Research on South Africa's nuclear capability;

8. *Requests* the Security Council, for the purposes of disarmament and to fulfil its obligations and responsibility, to take enforcement measures to prevent any racist régime from acquiring arms or arms technology;

9. *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,³⁰ 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;

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 forty-first session.

113th plenary meeting
12 December 1985

40/90. 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, 37/77 A of 9 December 1982, 38/182 of 20 December 1983 and 39/62 of 12 December 1984 concerning the prohibition of new types of weapons of mass destruction,

Bearing in mind the provisions of paragraph 39 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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 to 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 aiming 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 1985 the Conference on Disarmament considered the item entitled

²⁹ See resolution S-10/2, para. 63 (c).

³⁰ See *Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980*, document S/14179.

“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 Conference on Disarmament relating to this question,³¹

1. *Reaffirms* the necessity of prohibiting the development and manufacture of new types of weapons of mass destruction and new systems of such weapons;

2. *Requests* the Conference on Disarmament, in the light of its existing priorities, to keep constantly under review, with the assistance of a periodically convened group of experts, the question of the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons with a view to making, when necessary, recommendations on undertaking specific negotiations on the identified types of such weapons;

3. *Calls upon* all States to contribute, immediately following the identification of any new type of weapon of mass destruction, to the commencement of negotiations on its prohibition with the simultaneous introduction of a moratorium on its practical development;

4. *Once again urges* all States to refrain from any action that could adversely affect the efforts aimed at the prevention of the emergence of new types of weapons of mass destruction and new systems of such weapons;

5. *Calls again upon* all States to undertake efforts to ensure that ultimately scientific and technological achievements may be used solely for peaceful purposes;

6. *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 fortieth session;

7. *Requests* the Conference on Disarmament to submit a report on the results achieved to the General Assembly for consideration at its forty-first session;

8. *Decides* to include in the provisional agenda of its forty-first 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”.

*113th plenary meeting
12 December 1985*

40/91. 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 paragraph 89 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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,

Convinced that the freezing and reduction of military budgets would have favourable consequences on the world economic and financial situation and might facilitate efforts made to increase international assistance for the developing countries,

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,³²

Recalling also that, in the Declaration of the 1980s as the Second United Nations Disarmament Decade, 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,³³

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, 37/95 A of 13 December 1982, 38/184 A of 20 December 1983 and 39/64 A of 12 December 1984, 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,

Considering that the identification and elaboration of the principles that 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 1985 on the item entitled “Reduction of military budgets”,³⁴

1. *Declares 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. *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;

3. *Reaffirms* that the human and material resources released through the reduction of military expenditures could be reallocated for economic and social development, particularly for the benefit of the developing countries;

4. *Requests* the Disarmament Commission to continue the consideration of the item entitled “Reduction of mili-

³¹ *Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), paras. 102 and 105-109.*

³² *Ibid.*, *Twelfth Special Session, Annexes*, agenda items 9 to 13, document A/S-12/32, para. 62.

³³ See resolution 35/46, annex, para. 15.

³⁴ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 42 (A/40/42)*, para. 28.

tary budgets" and, in this context, to finalize, at its substantive session in 1986, the principles that should govern the actions of States in the field of freezing and reduction of military expenditures on the basis of the working paper annexed to its report,³⁵ as well as other proposals and ideas on the subject;

5. *Draws anew the attention* of Member States to the fact that the 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 creating confidence among them conducive to international agreements on the reduction of military budgets;

6. *Urges* 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;

7. *Decides* to include in the provisional agenda of its forty-first 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 national reports on military expenditures have been received from a number of Member States belonging to different geographic regions and having different budgeting and accounting systems,

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,

Emphasizing that the above-mentioned activities and initiatives, as well as other ongoing activities within the United Nations related to the reduction of military

budgets, have the objective of facilitating future negotiations aimed at the conclusion of international agreements on the reduction of 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,

Having examined the report of the Secretary-General³⁶ containing the report of the Group of Experts on the Reduction of Military Budgets,

1. *Takes note with appreciation* of the report of the Group of Experts on the Reduction of Military Budgets;

2. *Expresses its appreciation* to the Secretary-General and to the Group of Experts that assisted him in the preparation of the report;

3. *Commends* the report and its conclusions and recommendations to the attention of all Member States;

4. *Requests* the Secretary-General to make the necessary arrangements for the reproduction of the report as a United Nations publication;³⁶

5. *Invites* all Member States to submit to the Secretary-General, no later than 15 April 1986, their views regarding the report and to suggest further measures with a view to facilitating future international agreements to reduce military expenditures;

6. *Requests* the Secretary-General to submit a report containing the views of Member States received concerning this issue to the General Assembly at its forty-first session;

7. *Also takes note with appreciation* of the report of the Secretary-General containing the replies received in 1985 from Member States in the framework of the above-mentioned reporting system;³⁷

8. *Stresses* the need to increase the number of reporting States with a view to the broadest possible participation from different geographic regions and representing different budgeting systems;

9. *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;

10. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Reduction of military budgets".

113th plenary meeting
12 December 1985

40/92. 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,¹⁰ which states that the complete and effective prohibition of the

³⁵ *Ibid.*, Supplement No. 42 (A/40/42), annex II.

³⁶ A/40/421. The report was subsequently issued with the title *Reduction of Military Budgets: construction of military price indexes and purchasing-power parities for comparison of military expenditures* (United Nations publication, Sales No. E.86.IX.2).

³⁷ A/40/313 and Add.1-3.

development, production and stockpiling of all chemical weapons and their destruction represents one of the most urgent measures of disarmament,

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,

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,

Stressing the continuing importance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare,³⁸ signed sixty years ago at Geneva,

Determined, for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons, through the earliest conclusion and implementation of a convention on the prohibition of the development, production and stockpiling of all types of chemical weapons and on their destruction, thereby complementing the obligations assumed under the Geneva Protocol of 17 June 1925,

Taking into consideration the work of the Conference on Disarmament during its session in 1985 regarding the prohibition of chemical weapons and, in particular, highly appreciating the work of its *Ad Hoc* Committee on Chemical Weapons,

Expressing profound concern at recent decisions on the production of binary chemical weapons, as well as at their intended deployment,

Deeming it desirable for States to refrain from taking any action that could delay or further complicate negotiations and to display a constructive approach to such negotiations and the political will to reach an early agreement on the chemical weapons convention,

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 and at contributing to the achievement of stable regional and international security,

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;

2. *Appeals* to all States to facilitate in every possible way the conclusion of such a convention;

3. *Urges* the Conference on Disarmament to intensify the negotiations in the *Ad Hoc* Committee on Chemical Weapons with a view to achieving accord on a chemical weapons convention at the earliest possible date and, for this purpose, to intensify the drafting process of such a convention for submission to the General Assembly at its forty-first session;

4. *Reaffirms its call* to all States to conduct serious negotiations in good faith and 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;

5. *Calls upon* all States that have not yet done so to become parties to 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.

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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 urgent 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 1925,³⁸ 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 1972,³⁹

Having considered the part of the report of the Conference on Disarmament on chemical weapons, in particular the report of its *Ad Hoc* Committee on Chemical Weapons,⁴⁰

Convinced of the necessity that all efforts be exerted for the continuation 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 Conference on Disarmament during its session in 1985 regarding the prohibition of chemical weapons and, in particular, appreciates the work of its *Ad Hoc* Committee on Chemical Weapons on that question and the progress recorded in its report;

2. *Expresses again its regret and concern* 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 again* the Conference on Disarmament, as a matter of high priority, to intensify, during its session in 1986, the negotiations on such a convention and to reinforce further its efforts, *inter alia*, by increasing the time during the year that it devotes to such negotiations, taking into account all existing proposals and future initiatives, with a view to the final elaboration of a convention at the earliest possible date, and to re-establish its *Ad Hoc* Committee on Chemical Weapons for this purpose with the 1985 mandate;

4. *Requests* the Conference on Disarmament to report to the General Assembly at its forty-first session on the results of its negotiations.

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³⁸ League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138, p. 65.

³⁹ Resolution 2826 (XXVI), annex.

⁴⁰ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1)*, para. 96.

C

CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL)
WEAPONS*The General Assembly,*

Reaffirming the urgent 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 1925,³⁸ 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 1972,³⁹

Noting with concern reports that chemical weapons have been used, as well as indications of their emergence in an increasing number of national arsenals,

Expressing concern at the increasing risk that chemical weapons may be resorted to again,

Noting international efforts to strengthen relevant international prohibitions, including efforts to develop appropriate fact-finding mechanisms,

Recalling its resolution 39/65 A of 12 December 1984,

Rededicating its efforts to protect mankind from chemical and biological warfare,

1. *Reaffirms* the need for strict observance of existing international obligations regarding prohibitions on chemical and biological weapons and condemns all actions that contravene those obligations;

2. *Welcomes* the ongoing efforts to ensure the most effective prohibitions possible on chemical and biological weapons;

3. *Urges* the Conference on Disarmament to accelerate its negotiations on a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction;

4. *Calls upon* all States, pending the conclusion of such a comprehensive ban, to co-operate in efforts to prevent the use of chemical weapons.

*113th plenary meeting
12 December 1985*

40/93. Israeli nuclear armament

The General Assembly,

Bearing in mind its previous resolutions on Israeli nuclear armament, the latest of which is 39/147 of 17 December 1984,

Recalling resolution 39/54 of 12 December 1984, in which, *inter alia*, it called upon all countries of the Middle East, pending the establishment of a nuclear-weapon-free zone in the Middle East, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards,

Recalling further Security Council resolution 487 (1981) of 19 June 1981 in which, *inter alia*, the Council called upon Israel urgently to place its nuclear facilities under International Atomic Energy Agency safeguards,

Noting with grave concern Israel's persistent refusal to commit itself not to manufacture or acquire nuclear weapons, 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,

Aware of the grave consequences that 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,

1. *Takes note* of the report of the United Nations Institute for Disarmament Research on this question;⁴¹

2. *Reiterates its condemnation* of Israel's refusal to renounce any possession of nuclear weapons;

3. *Requests once more* the Security Council to take urgent and effective measures to ensure that Israel complies with Security Council resolution 487 (1981) and places all its nuclear facilities under International Atomic Energy Agency safeguards;

4. *Reiterates its request* to the Security Council to investigate Israel's nuclear activities and the collaboration of other States, parties and institutions in these activities;

5. *Calls upon* all States and organizations that have not yet done so to discontinue co-operating with and giving assistance to Israel in the nuclear field;

6. *Reaffirms its condemnation* of the continuing nuclear collaboration between Israel and South Africa;

7. *Requests* the Secretary-General to follow closely Israeli nuclear activities and to report thereon as appropriate to the General Assembly.

*113th plenary meeting
12 December 1985*

40/94. General and complete disarmament

A

CONVENTIONAL DISARMAMENT ON A REGIONAL
SCALE*The General Assembly,*

Reaffirming the determination to save succeeding generations from the scourge of war that is expressed in the Preamble to the Charter of the United Nations,

Again recognizing the urgent need for the harmonizing of political wills in order to promote initiatives aimed at reducing expenditure on armaments so that the resources thus released can be devoted to the social and economic development of all peoples,

Recalling paragraph 2 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ in which it is stated, *inter alia*, that the nuclear and conventional arms build-up threatens to stall the efforts aimed at reaching the goals of development, to become an obstacle on the road of achieving the new international economic order and to hinder the solution of other vital problems facing mankind,

Recalling further paragraphs 45 and 46 of the Final Document of the Tenth Special Session,¹⁰ in which it declared, *inter alia*, that priorities in disarmament negotiations should be: nuclear weapons; other weapons of mass destruction, including chemical weapons; conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects; and reduction of armed forces; and that nothing should preclude States from conducting negotiations on all priority items concurrently,

⁴¹ A/40/520, annex.

Recognizing that unilateral measures to limit or reduce armaments can make a contribution to the attainment of disarmament,

Recalling its resolution 37/100 F of 13 December 1982 on regional disarmament, in which it stressed, *inter alia*, the importance of the regional measures already adopted, as well as of efforts of a regional nature undertaken in the field of nuclear and conventional disarmament,

Recalling also its resolutions 38/73 J of 15 December 1983 and 39/63 F of 12 December 1984 on regional disarmament,

1. Urges Governments, where the regional situation so permits and on the initiative of the States concerned, to consider and adopt appropriate measures at the regional level with a view to strengthening peace and security at a lower level of forces through the limitation and reduction of armed forces and conventional weapons, under strict and effective international control, taking into account the need of States to protect their security, bearing in mind the inherent right of self-defence enshrined in the Charter of the United Nations and without prejudice to the principle of equal rights and of the self-determination of peoples, in conformity with the Charter, and taking into account the need to ensure balance in each phase and to avoid impairing the security of any State;

2. Expresses its most firm support for recent unilateral measures, adopted by some Governments, which are intended to limit conventional armaments and reduce military expenditures and which contribute to the creation of an atmosphere favourable to the realization of conventional disarmament on a regional scale;

3. Endorses most emphatically the recent regional and subregional initiatives directed towards the conclusion of agreements to limit armaments and reduce military expenditures;

4. Reaffirms the primary responsibility of the militarily significant States, especially the nuclear-weapon States, for halting and reversing the arms race, and the priority assigned to nuclear disarmament in the context of the advances towards general and complete disarmament;

5. Requests all States to facilitate progress towards regional disarmament by strictly honouring their commitment to refrain from the threat or use of force and to contribute to the creation of an atmosphere favourable to the realization of conventional disarmament on a regional scale;

6. Urges also countries which are suppliers of conventional weapons to co-operate with regional efforts;

7. Requests the Secretary-General to provide interested Governments, upon request, with such technical services and assistance as may be useful in measures of conventional disarmament on a regional scale and also requests him to submit a report on the situation with regard to this matter to the General Assembly at its forty-first session;

8. Decides to include in the provisional agenda of its forty-first session an item entitled "Conventional disarmament on a regional scale".

113th plenary meeting
12 December 1985

B

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*⁴² in the light of information and experience accumulated since 1975,

Recalling also that it requested the Secretary-General, with the assistance of an *ad hoc* group of qualified governmental experts, to carry out the study and to submit it to the General Assembly at its thirty-ninth session,

Recalling further its resolution 39/151 B of 17 December 1984, in which it took note of the report of the Secretary-General⁴³ to the effect that the Group of Governmental Experts on Nuclear-Weapon-Free Zones had not been able to conclude the study within the time available and requested therefore the Secretary-General to continue the study and to submit the report to the General Assembly at its fortieth session,

Reaffirming its resolutions 3472 A (XXX) of 11 December 1975 and 31/70 of 10 December 1976, in which it expressed its conviction that the establishment of nuclear-weapon-free zones could contribute to the security of members of such zones, to the prevention of proliferation of nuclear weapons and to the goals of general and complete disarmament,

Having received the report of the Secretary-General,⁴⁴ to which is annexed a letter from the Chairman of the Group of Governmental Experts on Nuclear-Weapon-Free Zones,

Appreciating the efforts made by the Group of Governmental Experts,

1. Takes note of the report of the Secretary-General and regrets that the Group of Governmental Experts on Nuclear-Weapon-Free Zones was unable to complete the study;

2. Conveys its thanks to the Secretary-General, the Director-General of the International Atomic Energy Agency and the Secretary-General of the Agency for the Prohibition of Nuclear Weapons in Latin America for the assistance they have given for the preparation of the study.

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12 December 1985

C

STUDY ON CONVENTIONAL DISARMAMENT

The General Assembly,

Recalling its resolution 39/151 C of 17 December 1984, in which the Secretary-General was requested to prepare a report for the General Assembly at its fortieth session containing the views of Member States received regarding the study on all aspects of the conventional arms race and on disarmament relating to conventional weapons and armed forces,⁴⁵

Further recalling paragraph 81 and other relevant paragraphs of the Final Document of the Tenth Special Session

⁴² United Nations publication, Sales No. E.76.I.7.

⁴³ A/39/400.

⁴⁴ A/40/379.

⁴⁵ The study was subsequently issued with the title *Study on Conventional Disarmament* (United Nations publication, Sales No. E.85.IX.1).

of the General Assembly,¹⁰ in which the importance also of conventional disarmament measures is stressed,

Taking note of the report of the Secretary-General on the work of the Organization⁴⁶ in which it is stated that "while the fear of nuclear weapons is pervasive because of their potentially global devastating effect, it is conventional weapons that every day claim countless lives", and further that "the conventional arms race, moreover, squanders precious economic resources",

Bearing in mind the immense drain on human, economic and technological resources caused by the conventional arms race,

Further noting the link between disarmament and development and the forthcoming International Conference on the Relationship between Disarmament and Development,

Having examined the report of the Secretary-General⁴⁷ containing the views received from Member States regarding the *Study on Conventional Disarmament*,

1. *Appeals* to all Member States to make the widest use of the *Study* and its conclusions and recommendations;
2. *Invites* Member States that have not yet informed the Secretary-General of their views regarding the *Study*, to do so no later than 31 May 1986;
3. *Requests* the Secretary-General to prepare a report for the General Assembly at its forty-first session containing further views of Member States received regarding the *Study*;
4. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Conventional disarmament".

113th plenary meeting
12 December 1985

D

PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF RADIOLOGICAL WEAPONS

The General Assembly,

Recalling its resolution 39/151 J of 17 December 1984,

1. *Takes note* of that part of the report of the Conference on Disarmament on the question of radiological weapons, in particular the report of the *Ad Hoc* Committee on Radiological Weapons;⁴⁸
2. *Takes note also* of the recommendation of the Conference on Disarmament that the *Ad Hoc* Committee on Radiological Weapons should be re-established at the beginning of its 1986 session and that the annex to the report of the *Ad Hoc* Committee should be considered as a basis for further work;
3. *Recognizes* that the work accomplished by the *Ad Hoc* Committee on Radiological Weapons in 1985 made a further contribution to the solution of the issues entrusted to it;
4. *Requests* the Conference on Disarmament to continue its negotiations on the subject with a view to a prompt conclusion of its work, taking into account all proposals presented to the Conference to this end, the result of which should be submitted to the General Assembly at its forty-first session;

⁴⁶ Official Records of the General Assembly, Fortieth Session, Supplement No. 1 (A/40/1).

⁴⁷ A/40/486 and Add.1.

⁴⁸ See Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), para. 104.

5. *Also requests* that the Secretary-General transmit to the Conference on Disarmament all relevant documents relating to the discussion of all aspects of the issue by the General Assembly at its fortieth session;

6. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Prohibition of the development, production, stockpiling and use of radiological weapons".

113th plenary meeting
12 December 1985

E

COMPREHENSIVE STUDY OF CONCEPTS OF SECURITY

The General Assembly,

Recalling its resolution 38/188 H of 20 December 1983, by which it requested the Secretary-General to carry out, with the assistance of qualified governmental experts, a comprehensive study of concepts of security,

Having examined the report of the Secretary-General⁴⁹ transmitting the study undertaken by the Group of Governmental Experts to Carry Out a Comprehensive Study of Concepts of Security,

1. *Takes note* of the comprehensive study on concepts of security;⁵⁰
2. *Expresses its appreciation* to the Secretary-General and to the Group of Governmental Experts to Carry Out a Comprehensive Study of Concepts of Security, which assisted him in the preparation of the study;
3. *Commends* the study and its conclusions to the attention of all Member States;
4. *Invites* all Member States to inform the Secretary-General, no later than 30 April 1986, of their views regarding the study;
5. *Requests* the Secretary-General to make the necessary arrangements for the reproduction of the study as a United Nations publication⁵¹ and to give it the widest possible distribution;
6. *Requests* the Secretary-General to prepare for the General Assembly at its forty-first session a report containing the views of Member States received regarding the study.

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12 December 1985

F

STUDY ON THE NAVAL ARMS RACE

The General Assembly,

Recalling its resolution 38/188 G of 20 December 1983, by which it requested the Secretary-General, with the assistance of qualified governmental experts, to carry out a comprehensive study on the naval arms race,

Reaffirming its concern about the naval buildup and the development of naval arms systems,

Having examined the report of the Secretary-General⁵¹ transmitting the study carried out by the Group of Gov-

⁴⁹ A/40/553, annex.

⁵⁰ *Ibid.*, annex. The study was subsequently issued with the title *Concepts of Security* (United Nations publication, Sales No. E.86.IX.1).

⁵¹ A/40/535.

ernmental Experts to Carry Out a Comprehensive Study on the Naval Arms Race, Naval Forces and Naval Arms Systems,

1. *Takes note with satisfaction* of the study on the naval arms race;⁵²

2. *Expresses its appreciation* to the Secretary-General and to the Group of Governmental Experts to Carry Out a Comprehensive Study on the Naval Arms Race, Naval Forces and Naval Arms Systems which assisted him in the preparation of the study;

3. *Commends* the study and its conclusions to the attention of all Member States;

4. *Invites* all Member States to inform the Secretary-General, no later than 5 April 1986, of their views concerning the study;

5. *Requests* the Secretary-General to make the necessary arrangements for the reproduction of the study as a United Nations publication⁵² and to give it the widest possible distribution;

6. *Requests* the Secretary-General to prepare for the Disarmament Commission at its substantive session in May 1986 a compilation of the views received from Member States regarding this issue;

7. *Requests* the Disarmament Commission to consider, at its forthcoming session in 1986, the issues contained in the study on the naval arms race, both its substantive content and its conclusions, taking into account all other relevant present and future proposals, with a view to facilitating the identification of possible measures in the field of naval arms reductions and disarmament, pursued within the framework of progress towards general and complete disarmament, as well as confidence-building measures in this field, and to report on its deliberations and recommendations to the General Assembly at its forty-first session;

8. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Naval armaments and disarmament".

*113th plenary meeting
12 December 1985*

G

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, 37/99 E of 13 December 1982, 38/188 E of 20 December 1983 and 39/151 H of 17 December 1984, in which it requested the Committee on Disarmament,⁵³ 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,¹⁰ 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 Conference on Disarmament for 1985 included the item entitled "Nuclear weapons in all aspects" and that the programme of work of the Conference for both parts of its session held in 1985 contained the item entitled "Cessation of the nuclear-arms race and nuclear disarmament",⁵³

Recalling the proposals and statements made in the Conference on Disarmament on those items,⁵⁴

Considering that the cessation of 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, 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.

*113th plenary meeting
12 December 1985*

H

NUCLEAR-WEAPON FREEZE

The General Assembly,

Expressing its deep alarm over the continuation and intensification of the nuclear-arms race, which seriously increases the threat of nuclear war,

Taking into account the great responsibility of nuclear-weapon States for the preservation of universal peace and the prevention of nuclear war,

Recalling its previous resolutions calling for a nuclear-weapon freeze both in quantitative and in qualitative terms,

Recalling also that on several occasions it has expressed the firm conviction that at present the conditions are most propitious for such a freeze,

Convinced that a nuclear-weapon freeze would raise the level of trust among States, ease international tension and diminish the threat of nuclear war,

Convinced also that compliance with the obligations of the freeze could be verified by national technical means as well as through some additional verification measures based on co-operation, taking into account previous nuclear-arms limitation negotiations,

Noting the wide support for the Joint Declaration issued on 22 May 1984⁵⁵ and the Delhi Declaration issued on 28 January 1985,²⁴ by the heads of State or Government of six States Members of the United Nations, which contained an appeal to the nuclear-weapon States to halt testing, production and deployment of nuclear weapons and their means of delivery,

⁵² *Ibid.*, annex. The study was subsequently issued with the title *The Naval Arms Race* (United Nations publication, Sales No. E.86.IX.3).

⁵³ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1)*, paras. 10 and 12.

⁵⁴ *Ibid.*, Supplement No. 27 (A/40/27 and Corr.1), sect. III.B.

⁵⁵ A/39/277-S/16587, annex. For the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for April, May and June 1984*, document S/16587, annex.

Deeply regretting that some nuclear Powers have not responded positively to its relevant appeals or to appeals and proposals by other States made repeatedly during the last three years,

1. *Reaffirms its appeal* to all nuclear-weapon States to freeze, from a specific date, their nuclear arsenals on a global scale and under appropriate verification as a first step to their reduction with the view to their complete elimination;

2. *Urges once again* 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-weapon States;

3. *Strongly believes* that all the other nuclear-weapon States should subsequently and as soon as possible freeze their nuclear weapons.

113th plenary meeting
12 December 1985

I

CURBING THE NAVAL ARMS RACE: LIMITATION AND REDUCTION OF NAVAL ARMAMENTS AND EXTENSION OF CONFIDENCE-BUILDING MEASURES TO SEAS AND OCEANS

The General Assembly,

Recalling its resolutions 38/188 F of 20 December 1983 and 39/151 I of 17 December 1984,

Convinced that all channels of the arms race, in particular the nuclear-arms race, should be effectively covered by the efforts to halt and reverse it,

Disturbed by the growing threat to peace, international security and global stability posed by the continuing escalation of the naval arms race,

Alarmed by the even more frequent use of naval fleets or other naval formations for demonstrations or use of force and as an instrument to exert pressure against sovereign States, especially developing countries, to interfere in their internal affairs, to commit acts of armed aggression and intervention and to preserve the remnants of the colonial system,

Aware that the growing presence of naval fleets and the intensification of the naval activities of some States in conflict areas or far from their own shores increase tensions in those areas and could adversely affect the security of the international sea lanes there, the freedom of navigation and the exploitation of maritime resources,

Firmly convinced that the undertaking of urgent steps to curb military confrontation at sea would be a significant contribution to preventing war, especially nuclear war, and to strengthening peace and international security,

Aware of the numerous initiatives and concrete proposals to undertake effective measures aimed at limiting naval activities, limiting and reducing naval armaments and extending confidence-building measures to seas and oceans,

Convinced that such measures should be worked out and implemented with due regard to the principle of not harming the legitimate security interests of any State concerned,

Stressing once again the importance of relevant measures of a regional character, such as the implementation of the Declaration of the Indian Ocean as a Zone of Peace⁵⁶ and the transformation of the Mediterranean into a zone of peace, security and co-operation,

Reaffirming once again that seas and oceans, being of vital importance to mankind, should be used exclusively for peaceful purposes in accordance with the régime established by the United Nations Convention on the Law of the Sea,⁵⁷

Taking note of the report of the Secretary-General⁵⁸ and other documents,⁵⁹ submitted in pursuance of resolutions 38/188 F and 39/151 I, which contain the replies of Member States, including a major naval Power, on the modalities for negotiations, as well as various specific ideas and new proposals for joint measures on curbing the naval arms race and naval activities,

Noting with satisfaction that the prevailing view expressed in these replies strongly favours an early commencement of negotiations aimed at curbing the naval arms race and naval activities, strengthening confidence and security at sea and reducing naval armaments,

Taking note of the study on the naval arms race⁵² carried out by the Secretary-General with the assistance of the Group of Governmental Experts to Carry Out a Comprehensive Study on the Naval Arms Race, Naval Forces and Naval Arms Systems,

Considering that the discussion on the subject that has taken place at the 1985 substantive session of the Disarmament Commission constitutes a valuable initial step in the common search for ways and means which could ensure proper conditions for more detailed and thorough consideration of the issue of curbing the naval arms race, with a view to holding appropriate negotiations,

1. *Appeals once again* to all Member States, in particular to nuclear-weapon States and other major naval Powers, to refrain from enlarging their naval presence and activities in areas of conflict or tension, or far from their own shores;

2. *Reaffirms once again its recognition* of the urgent need to start negotiations with the participation of the major naval Powers, in particular the nuclear-weapon States, and other interested States on the limitation of naval activities, the limitation and reduction of naval armaments and the extension of confidence-building measures to seas and oceans, especially to areas with the busiest international sea lanes or to regions where the probability of conflict situations is high;

3. *Invites* Member States, particularly the major naval Powers, including the nuclear-weapon States, to consider the possibility of holding direct consultations, bilateral and/or multilateral, with a view to preparing the opening at an early date of such negotiations;

4. *Also invites* Member States, especially those that have not yet done so, to communicate to the Secretary-General not later than April 1986 their views concerning the modalities for holding the multilateral negotiations referred to above, including the possibilities for holding them at the Conference on Disarmament at Geneva;

5. *Requests* the Disarmament Commission to continue the consideration of this question as a matter of priority in an appropriate subsidiary body, taking due account of the proposals made and the views expressed on the subject-matter contained in the replies of Member States to the Secretary-General, in the verbatim records of the Disarm-

⁵⁶ Resolution 2832 (XXVI).

⁵⁷ *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

⁵⁸ A/39/419 and Corr.1.

⁵⁹ A/CN.10/70 and Add.1-5.

ament Commission, in the working papers and the study on the naval arms race, as well as of future initiatives, with a view to submitting its recommendations to the General Assembly at its forty-first session;

6. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Curbing the naval arms race: limitation and reduction of naval armaments and extension of confidence-building measures to seas and oceans".

*113th plenary meeting
12 December 1985*

J

FURTHER MEASURES IN THE FIELD OF DISARMAMENT FOR THE PREVENTION OF AN ARMS RACE ON THE SEA-BED, THE OCEAN FLOOR AND IN THE SUBSOIL THEREOF

The General Assembly,

Recalling its resolution 38/188 B of 20 December 1983, in which it reiterated its hope for the widest possible adherence 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,⁶⁰ called again upon all States to refrain from any action which might lead to the extension of the arms race to the sea-bed and ocean floor, and also requested the Conference on Disarmament 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 in the subsoil thereof,

Taking note of the part of the report of the Conference on Disarmament 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 in the subsoil thereof,⁶¹

Noting that the Third United Nations Conference on the Law of the Sea had concluded and that the United Nations Convention on the Law of the Sea⁵⁷ was opened for signature on 10 December 1982,

Emphasizing the interest of all States, including specifically the interest of developing countries, in the progress of the exploration and use of the sea-bed and the ocean floor and its resources for peaceful purposes,

Requests the Conference on Disarmament, in consultation with the States 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, taking into account existing proposals and any relevant technological developments, to continue 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 in the subsoil thereof.

*113th plenary meeting
12 December 1985*

K

OBJECTIVE INFORMATION ON MILITARY MATTERS

The General Assembly,

Noting that misperceptions of the military capabilities and the intentions of potential adversaries, which could be caused, *inter alia*, by a 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,

Recalling paragraph 105 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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,

Recognizing that the adoption of practical, confidence-building measures on a global, regional or subregional level would greatly contribute to a reduction in international tension,

Aware that objective information on the military capabilities, in particular of 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,

Recalling its resolutions 37/99 G of 13 December 1982 and 38/188 C of 20 December 1983,

Aware of the existence, under the auspices of the United Nations, of an international system for the standardized reporting of military expenditures, and that annual reports on military expenditures are now being received from an increasing number of States,

1. *Expresses its conviction* that a better flow of objective information on military capabilities could help relieve international tension and contribute to the building of confidence among States on a global, regional or subregional level and to the conclusion of concrete disarmament agreements;

2. *Urges* all States, in particular nuclear-weapon States and other militarily significant States, to consider implementing additional measures based on the principles of openness and transparency such as, for example, the international system for the standardized reporting of military expenditures, with the aim of facilitating the availability of objective information on, as well as objective assessment of, military capabilities;

3. *Invites* all Member States to communicate to the Secretary-General before 30 April 1986 the measures they have adopted to contribute to greater openness in military matters in general and in particular to improve the flow of objective information on military capabilities;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the provisions of the present resolution;

5. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Objective information on military matters".

*113th plenary meeting
12 December 1985*

⁶⁰ Resolution 2660 (XXV), annex.

⁶¹ Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), sect. III.I.

L

COMPLIANCE WITH ARMS LIMITATION AND
DISARMAMENT AGREEMENTS

The General Assembly,

Conscious of the abiding concern of all Member States for preserving respect for rights and obligations arising from treaties and other sources of international law,

Convinced that observance of the Charter of the United Nations, relevant treaties and other sources of international law is essential for the strengthening of international security,

Mindful in particular of the fundamental importance of full implementation and strict observance of agreements on arms limitation and disarmament if individual nations and the international community are to derive enhanced security from them,

Stressing that any violation of such agreements not only adversely affects the security of States parties but can also create security risks for other States relying on the constraints and commitments stipulated in those agreements,

Stressing further that any weakening of confidence in such agreements diminishes their contribution to global or regional stability and to further disarmament and arms limitation efforts and undermines the credibility and effectiveness of the international legal system,

Believing that compliance with arms limitation and disarmament agreements by States parties is, therefore, a matter of interest and concern to the international community, and noting the role that the United Nations could play in that regard,

1. *Urges* all States parties to arms limitation and disarmament agreements to implement and comply with the entirety of the provisions subscribed to;

2. *Calls upon* all Member States to give serious consideration to the implications of non-compliance with those obligations for international security and stability, as well as for the prospects for further progress in the field of disarmament;

3. *Appeals* to all Member States to support efforts aimed at the resolution of non-compliance questions, with a view towards encouraging strict observance of the provisions subscribed to and maintaining or restoring the integrity of arms limitation or disarmament agreements;

4. *Requests* the Secretary-General to provide Member States with assistance that may be necessary in this regard.

*113th plenary meeting
12 December 1985*

M

THIRD REVIEW CONFERENCE OF THE PARTIES TO THE
TREATY ON THE NON-PROLIFERATION OF NUCLEAR
WEAPONS

The General Assembly,

Recalling its resolution 38/74 of 15 December 1983, in which, *inter alia*, it noted 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 had proposed to the depositary Governments that a third conference to review the operation of the Treaty be

convened in 1985⁶² and that there appeared to be a consensus among the parties that the Third Review Conference should be held at Geneva in August/September of that year,

Recalling that States parties to the Treaty met at Geneva from 27 August to 21 September 1985 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,

Notes with satisfaction that on 21 September 1985, the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted by consensus a Final Declaration.⁸

*113th plenary meeting
12 December 1985*

N

DISARMAMENT AND THE MAINTENANCE OF
INTERNATIONAL PEACE AND SECURITY

The General Assembly,

Recognizing the occasion of the fortieth anniversary of the founding of the United Nations,

Solemnly reaffirming the common recognition of Member States of the unique importance of the United Nations and the Charter of the United Nations through which they are all committed "to practice tolerance and live together in peace" and "to unite our strength to maintain international peace and security", as well as "to ensure . . . that armed force shall not be used, save in the common interest",

Further determined to implement the provisions of the Charter to ensure the maintenance of international peace and security, in particular the common commitments of Member States to "settle international disputes by peaceful means" and to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State",

Affirming the critical relationship described in the Charter between the maintenance of international peace and security and the principles governing disarmament and the regulation of armaments,

Reaffirming that the promotion of fundamental human rights, the equal rights of nations large and small and the promotion of social progress and better standards of life in larger freedom remain irreducible goals of the United Nations,

Deeply concerned that the arms race directly threatens the right of people to better standards of life and economic and social advancement,

Recognizing once again the validity of, and reaffirming the commitment of Member States to, the Final Document of the Tenth Special Session of the General Assembly,¹⁰

Noting that disarmament and arms limitation is necessarily a matter for negotiation and carefully worked out agreements which take account of all the concerns of all participating Governments,

Reaffirming the statement contained in paragraph 13 of the Final Document¹⁰ that genuine and lasting peace can be created only through the effective implementation of the security system provided for in the Charter and the

⁶² See *Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.II/22/1)* (Geneva, 1980), para. 32.

speedy and substantial reduction of arms and armed forces, leading ultimately to general and complete disarmament under effective international control,

Taking into account the existence of negotiations in multilateral, regional and bilateral forums,

Convinced of the need for all States to work to achieve general and complete disarmament, including the conclusion of arms limitation and disarmament agreements wherever feasible,

Further convinced that adequate verification is an essential ingredient if confidence is to be placed in arms limitation or disarmament measures,

Mindful of the provisions of paragraph 24 of the Final Document,¹⁰

1. *Declares* the urgent need for effective measures to ensure achievement of the principles and priorities for disarmament as agreed upon by consensus at the tenth special session of the General Assembly, to be supported by the following objectives:

- (a) Avoidance of war, in particular nuclear war;
- (b) Cessation of existing armed conflicts and military threats of all kinds;
- (c) Cessation of the arms race in all its manifestations:
 - (i) In nuclear weapons and other weapons of mass destruction, as well as conventional weapons;
 - (ii) In qualitative as well as quantitative terms;
 - (iii) On the regional as well as global scale;
- (d) Prevention of an arms race in space;
- (e) Deep reductions in nuclear arsenals ultimately leading to the complete elimination of nuclear weapons under effective, legally binding and verifiable arrangements;
- (f) The prevention of proliferation of nuclear weapons or other nuclear explosive devices;
- (g) Elimination of chemical weapons and effective, legally binding and verifiable measures against the development, production, stockpiling and use of biological or chemical weapons;
- (h) Reduction in arms of all types by all States to levels consistent with their right of self-defence as recognized by Article 51 of the Charter of the United Nations;
- (i) The exercise of responsibility by exporters of weapons and suppression of the clandestine or illegal traffic in weapons;
- (j) Application of the physical and intellectual resources of humankind for peaceful purposes;

2. *Calls upon* all States to conduct their relations and to refrain from the use or threat of force in accordance with the provisions of the Charter of the United Nations;

3. *Calls upon* all States to undertake measures specifically designed to build confidence in order to contribute to the creation of favourable conditions for the adoption of additional disarmament measures and to further relaxation of international tension;

4. *Calls upon* all States faithfully to comply with and implement all provisions of multilateral, regional and bilateral disarmament and arms limitation agreements to which they are a party and to negotiate in good faith for the conclusion of additional treaties and conventions, multilateral, regional or bilateral as appropriate, taking into account the need for strict observance of an acceptable balance of mutual responsibilities and obligations for nuclear and non-nuclear-weapon States;

5. *Also calls upon* all States, including those with significant military arsenals as well as those which have special responsibilities as recognized by consensus in the Final Document of the Tenth Special Session of the General Assembly, to exercise their responsibilities regarding disarmament and arms limitation in good faith and according to the provisions of the Final Document, in order to facilitate the achievement of meaningful disarmament and arms limitation measures.

113th plenary meeting
12 December 1985

O

REVIEW OF THE ROLE OF THE UNITED NATIONS IN THE FIELD OF DISARMAMENT

The General Assembly,

Recalling its resolution 39/151 G of 17 December 1984,

Bearing in mind that the primary purpose of the United Nations is to maintain international peace and security,

Reaffirming its conviction that genuine and lasting peace can be created only through the effective implementation of the security system provided for in the Charter of the United Nations and the speedy and substantial reduction of arms and armed forces, by international agreement and mutual example, leading ultimately to general and complete disarmament under effective international control,

Reaffirming further that the United Nations, in accordance with its Charter, has a central role and primary responsibility in the sphere of disarmament,

Regretting that, especially in recent years, no substantive progress has been made in the field of disarmament,

Recognizing the need for the United Nations, in discharging its central role and primary responsibility in the sphere of disarmament, to play a more active role in the field of disarmament in accordance with its primary purpose under the Charter to maintain international peace and security,

Taking into account the part of the report of the Disarmament Commission relating to this question,⁶³

1. *Requests* the Disarmament Commission to continue its consideration of the role of the United Nations in the field of disarmament as a matter of priority at its next substantive session, in 1986, with a view to the elaboration of concrete recommendations and proposals, as appropriate, taking into account, *inter alia*, the views and suggestions of Member States as well as the aforementioned documents on the subject;

2. *Requests further* the Disarmament Commission to submit its report on the subject, including findings, recommendations and proposals, as appropriate, to the General Assembly at its forty-first session;

3. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Review of the role of the United Nations in the field of disarmament: report of the Disarmament Commission".

113th plenary meeting
12 December 1985

⁶³ Official Records of the General Assembly, Fortieth Session, Supplement No. 42 (A/40/42), para. 30.

40/150. Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security

The General Assembly,

Having considered the item entitled "Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security",

Recalling its resolutions 2667 (XXV) of 7 December 1970, 2831 (XXVI) of 16 December 1971, 3075 (XXVIII) of 6 December 1973, 32/75 of 12 December 1977, 35/141 of 12 December 1980 and 37/70 of 9 December 1982,

Deeply concerned that the arms race, particularly in nuclear armaments and military expenditures, has continued to increase at an alarming speed, absorbing enormous material and human resources, which represents a heavy burden for the peoples of all countries and constitutes a grave danger for world peace and security,

Convinced that, as disarmament is a matter of universal concern, there is a pressing need for all Governments and peoples to be informed about and be aware of the problems created by the armaments race and of the need for disarmament, and that the United Nations has a central role in this connection,

Recalling also paragraph 93 (c) of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ in which it is provided that the Secretary-General shall periodically submit reports to the Assembly on the economic and social consequences of the armament race and its extremely harmful effects on world peace and security,

Noting that, since the preparation of the updated report of the Secretary-General entitled *Economic and Social Consequences of the Arms Race and of Military Expenditures*,⁶⁴ new developments have taken place in the fields covered by the report that are of particular relevance in the present economic and political conditions of the world,

Considering that the elaboration of such reports should be viewed as a measure aimed at building confidence among States,

Recalling further its resolution 39/160 of 17 December 1984, in which it decided to convene an International Conference on the Relationship between Disarmament and Development, at which inevitably the issue of the economic and social consequences of the arms race and of military expenditures would be discussed,

1. *Requests* the Secretary-General to bring up to date, with the assistance of a group of qualified consultant experts⁶⁵ appointed by him and making appropriate use of the capabilities of the United Nations Institute for Disarmament Research in a consultant capacity, the report entitled *Economic and Social Consequences of the Arms Race and Military Expenditures*, taking into account the significant developments that have taken place since the preparation of that report;

2. *Invites* all Governments to extend to the Secretary-General their support and full co-operation so as to ensure that the study will be carried out in the most effective way;

3. *Calls upon* the specialized agencies, other international organizations and institutions as well as non-governmental organizations to co-operate with the Secretary-General, upon his request, in the preparation of the report;

4. *Requests* the Secretary-General to submit the report to the General Assembly at its forty-second session;

5. *Decides* to include in the provisional agenda of its forty-second session the item entitled "Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security".

*117th plenary meeting
16 December 1985*

40/151. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly

A

DISARMAMENT AND INTERNATIONAL SECURITY

The General Assembly,

Deeply concerned over the continuing escalation of the arms race, particularly in nuclear weapons,

Considering that resolution 39/63 K of 12 December 1984 calls upon the Security Council to give consideration to the escalating arms race — particularly the nuclear-arms race — with a view to initiating due procedures, in accordance with Article 26 of the Charter of the United Nations, for bringing it to a halt,

Having regard to the existing reality that the Security Council has not yet given any consideration to the question of the escalating arms race, as provided for in the aforesaid resolution,

1. *Calls upon* the Security Council, and particularly its permanent members, to initiate due procedures in conformity with the provisions of the aforesaid resolution;

2. *Requests* the Secretary-General to report thereon to the General Assembly at its forty-first session.

*117th plenary meeting
16 December 1985*

B

WORLD DISARMAMENT CAMPAIGN

The General Assembly,

Recalling that in paragraph 15 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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, 37/100 I of 13 December 1982, 38/73 D of 15 December 1983 and 39/63 D of 12 December 1984, as well as the reports of the Secretary-General of 17 September 1981,⁶⁶ 11 June 1982,⁶⁷ 3 November 1982,⁶⁸ 30 August 1983⁶⁹ and 4 October 1985,⁷⁰

Having examined the report of the Secretary-General of 4 October 1985 on the implementation of the programme of activities of the World Disarmament Campaign by the United Nations system during 1985 and the activities contemplated for 1986, as well as its main financial aspects,

⁶⁷ A/S-12/27.

⁶⁸ A/37/548.

⁶⁹ A/38/349.

⁷⁰ A/40/443.

⁶⁴ United Nations publication, Sales No. E.83.IX.2.

⁶⁵ Subsequently referred to as the Group of Consultant Experts on the Economic and Social Consequences of the Arms Race and of Military Expenditures.

⁶⁶ A/36/458.

Having also examined the part of the report of the Secretary-General of 15 October 1985 dealing with the activities of the Advisory Board on Disarmament Studies relating to the implementation of the World Disarmament Campaign,⁷¹ as well as the Final Act of the 1985 United Nations Pledging Conference for the Campaign,⁷² held on 31 October 1985,

1. *Commends* the manner in which, as described in the above-mentioned reports, the World Disarmament Campaign has been geared by the Secretary-General in order to guarantee "the widest possible dissemination of information and unimpeded access for all sectors of the public to a broad range of information and opinions on questions of arms limitation and disarmament and the dangers relating to all aspects of the arms race and war, in particular nuclear war";⁷³

2. *Recalls* that, as was also agreed by consensus in the Concluding Document of the Twelfth Special Session of the General Assembly, the second special session devoted to disarmament, it is likewise an essential requisite for the universality of the World Disarmament Campaign that it receive "the co-operation and participation of all States";⁷³

3. *Endorses once more* the statement made by the Secretary-General on the occasion of the 1984 United Nations Pledging Conference for the World Disarmament Campaign⁷⁴ to the effect that such co-operation implies that adequate funds be made available and that consequently the criterion of universality also applies to pledges, since a campaign without world-wide participation and funding will have difficulty in reflecting this principle in its implementation;

4. *Reiterates its regret* that most of the States that have the largest military expenditures have not so far made any financial contribution to the World Disarmament Campaign;

5. *Decides* that at its forty-first session there should be a fourth United Nations Pledging Conference for the World Disarmament Campaign, and expresses the hope that on that occasion all those Member States that have not yet announced any voluntary contribution will do so;

6. *Reiterates its recommendation* 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 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;

7. *Notes with appreciation* that the Secretary-General has given permanent character to his instructions to 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 to local languages;

8. *Requests* the Secretary-General to submit to the General Assembly at its forty-first session a report covering both the implementation of the programme of activities of the World Disarmament Campaign by the United Nations system during 1986 and the programme of activities contemplated by the system for 1987;

9. *Decides* to include in the provisional agenda of its forty-first session the item entitled "World Disarmament Campaign".

117th plenary meeting
16 December 1985

C

NUCLEAR-ARMS FREEZE

The General Assembly,

Recalling that in the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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,⁷⁵ 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 in the Political Declarations adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983⁷⁶ and the Conference of Foreign Ministers of Non-Aligned Countries held at Luanda from 4 to 7 September 1985,⁷⁷ it was stated 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, had heightened the risk of the outbreak of nuclear war and led to greater insecurity and instability in international relations,

Bearing in mind that in their Joint Declaration, issued on 22 May 1984,⁵⁵ the heads of State or Government of six States Members of the United Nations, coming from five different continents, urged the nuclear-weapon States as a necessary first step to halt all testing, production and deployment of nuclear weapons and their delivery systems, and that in the Delhi Declaration issued on 28 January 1985²⁴ they reiterated: "A halt to the nuclear arms race is at the present moment imperative. Only thus can it be ensured that nuclear arsenals do not grow while negotiations proceed."

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,

Welcoming the start of negotiations between the Union of Soviet Socialist Republics and the United States of America on a complex of questions concerning space and nuclear arms — both strategic and intermediate-range — with all these questions considered and resolved in their interrelationship,²

Considering that a nuclear-arms freeze, while not an end in itself, would constitute the most effective first step to prevent the continued increase and qualitative improvement of existing nuclear weaponry during the period when the negotiations take place,

⁷¹ A/40/744, sect. II.B.

⁷² A/CONF.131/1.

⁷³ See *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda items 9 to 13, document A/S-12/32, annex V, para. 4.

⁷⁴ See A/CONF.127/SR.1.

⁷⁵ *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda items 9 to 13, document A/S-12/32.

⁷⁶ See A/38/132-S/15675 and Corr.1 and 2, annex, sect. I, para. 28.

⁷⁷ See A/40/854-S/17610 and Corr.1, annex I, para. 33.

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 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,

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 be the following:

(a) It would 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) It would be subject to appropriate measures and procedures of verification, such as those that have already been agreed by the parties in the case of the SALT I⁷⁸ and SALT II⁷⁹ treaties, and those agreed upon in principle by them during the preparatory trilateral negotiations on the comprehensive test ban held at Geneva;

(c) It would be of an initial five-year duration, subject to prolongation when other nuclear-weapon States join in such a freeze, as the General Assembly urges 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 forty-first session, on the implementation of the present resolution;

3. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Implementation of General Assembly resolution 40/151 C on a nuclear-arms freeze".

117th plenary meeting
16 December 1985

D

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 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, 37/100 H of 13 December 1982, 38/73 F of 15 December 1983 and 39/63 A of 12 December 1984,

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 progress and implementation of the programme of activities of the World Disarmament Campaign,⁷⁰

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 Campaign,⁸⁰

Taking into account the great number of various activities carried out within the framework of the Campaign, including actions 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 that are an important manifestation of the will of world public opinion and 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. *Urges* the Governments of all States, especially the nuclear-weapon States and other militarily significant States, in formulating their policies in the field of disarmament, to take into account the main demands of the mass peace and disarmament movements, in particular, with regard to the prevention of nuclear war and curbing the nuclear-arms race;

3. *Reaffirms* the importance of carrying out the Campaign in accordance with the priorities in the field of disarmament established in the Final Document of the Tenth Special Session of the General Assembly,¹⁰ taking into account that the adoption of effective measures for nuclear disarmament and the prevention of nuclear war has the highest priority;

4. *Recommends* that, in carrying out the Campaign, due regard should be given to the proclamation by the General Assembly of 1986 as the International Year of Peace, as well as to other important dates and anniversaries related to international peace and security, with a view to intensifying the actions and activities in support of effective measures to prevent nuclear war, to curb the arms race and for disarmament;

5. *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;

6. *Requests* the Secretary-General, in implementing the programme of activities of the Campaign, to give wider publicity to the work of the General Assembly in the field

⁷⁸ "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).

⁷⁹ "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).

⁸⁰ *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda items 9 to 13, document A/S-12/32, annex V.

of disarmament, paying due attention, in particular, to the proposals of Member States and the action taken thereon;

7. *Also requests* the Secretary-General to report annually to the General Assembly on the implementation of the provisions of the present resolution.

*117th plenary meeting
16 December 1985*

E

FREEZE ON NUCLEAR WEAPONS

The General Assembly,

Recalling its resolutions 37/100 A of 13 December 1982, 38/73 B of 15 December 1983 and 39/63 G of 12 December 1984 concerning a freeze on nuclear weapons,

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 resolutions 37/100 A, 38/73 B and 39/63 G,

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;

2. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Freeze on nuclear weapons".

*117th plenary meeting
16 December 1985*

F

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,¹⁰ 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 that 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 Conference on Disarmament, during its session in 1985, 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 39/63 H of 12 December 1984,

1. *Reiterates its request* to the Conference on Disarmament 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 forty-first session on the results of those negotiations.

*117th plenary meeting
16 December 1985*

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 that 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-~~weapons~~ 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 _____.

G

UNITED NATIONS REGIONAL CENTRE FOR PEACE AND
DISARMAMENT IN AFRICA*The General Assembly,*

Recalling its resolution 39/63 J of 12 December 1984 in which it requested the Secretary-General to provide assistance to such Member States in the regions concerned as may request it with a view to establishing regional and institutional arrangements for the implementation of the World Disarmament Campaign, on the basis of existing resources and of voluntary contributions that Member States may make to that end,

Bearing in mind resolution AHG/Res.138 (XXI) adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first ordinary session, held at Addis Ababa from 18 to 20 July 1985,⁸¹ in which the African leaders requested the Secretary-General of the United Nations to take the necessary measures to establish a regional office in Africa to promote the objectives of peace, disarmament and development in the region,

Reaffirming its resolutions 37/100 F of 13 December 1982, 38/73 J of 15 December 1983 and 39/63 F of 12 December 1984 on regional disarmament,

Taking into account the Lomé Declaration and Programme of Action adopted at the Ministerial Regional Conference on Security, Disarmament and Development in Africa, held at Lomé from 13 to 16 August 1985 under the auspices of the Organization of African Unity,⁸²

Taking into account the report of the Secretary-General entitled "United Nations regional centre for peace and disarmament in Africa",⁸³

1. Decides to establish as at 1 January 1986, within the framework of the Secretariat, the United Nations Regional Centre for Peace and Disarmament in Africa on the basis of existing resources and of voluntary contributions that Member States may make to that end;

2. Decides further that the Centre shall provide, upon request, substantive support for initiatives and other efforts of Member States of the African region towards the realization of measures of peace, arms limitation and disarmament in the region, in co-operation with the Organization of African Unity, as well as co-ordinate the implementation of regional activities in Africa under the World Disarmament Campaign;

3. Requests the Secretary-General to take the necessary administrative measures to ensure the establishment and functioning of the Centre;

4. Invites Member States to make voluntary contributions to the Centre;

5. Requests the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

117th plenary meeting
16 December 1985

H

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,¹⁰ the first special session devoted to disarmament, 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,⁷⁵ the second special session devoted to disarmament, in which it decided, *inter alia*, to continue the programme and to increase the number of fellowships from twenty to twenty-five as from 1983,

Recalling also its resolution 39/63 B of 12 December 1984,

Noting with satisfaction that the programme has already trained one hundred and fifty-five public officials from eighty-eight countries, most of whom are now in positions of responsibility in the field of disarmament within their Governments or permanent missions to the United

⁸¹ See A/40/666, annex I.

⁸² A/40/761-S/17573, annex.

⁸³ A/40/443/Add.1 and Corr.1.

Nations, or representing their Governments at international disarmament meetings,

Recognizing that the programme of studies and activities as outlined in the report of the Secretary-General on the United Nations programme of fellowships on disarmament⁸⁴ has continued to expand and intensify,

Taking account of the fact that in recent years developing countries have shown increased interest in disarmament items, which has been reflected in the initiatives taken by them,

Considering that the forms of assistance available to Member States, particularly developing countries, under the United Nations programme of fellowships on disarmament can be further expanded by way of advisory services and training programmes arranged for participants in various countries on request, in view of the increasing and specific needs of Member States,

1. *Takes note with satisfaction* of the report of the Secretary-General and the view that the expansion of the programme of fellowships has brought with it higher responsibilities, including planning, implementation, co-ordination, servicing, follow-up work and supervision of all activities relating to the programme;

2. *Further takes note* of the view of the Secretary-General on the possibilities for additional services;⁸⁵

3. *Decides* to expand the forms of assistance available to Member States under the United Nations programme of fellowships on disarmament to include training programmes and advisory services in the field of disarmament and security, all the programmes to be consolidated under the Department for Disarmament Affairs of the Secretariat, at the appropriate level, bearing in mind the savings that can be made within the existing overall budgetary appropriations for the programme of fellowships; such advisory services should include the organization of training courses at the regional or subregional level, in co-operation with the Governments and/or intergovernmental organizations concerned for the benefit of government officials whose duties involve the implementation of arms limitation and disarmament measures, as well as the promotion of disarmament efforts;

4. *Further decides* that the Secretary-General should make provision for advisory services in the field of disarmament on the basis of requests received from Governments and/or governmental organizations in accordance with the following policies:

(a) The kind of service to be rendered to Governments and/or governmental organizations shall be determined by the Governments and/or organizations concerned in consultation with the Secretary-General;

(b) The amount of service and the conditions under which it is to be rendered shall be decided by the Secretary-General, with due regard to the needs of States, in particular the developing countries, and in conformity with the principle that the requesting Governments and/or governmental organizations shall be expected to assume responsibility for a considerable part of the expenses connected with the services rendered, either by making a contribution in cash, or by providing supporting staff services and defraying the local costs of carrying out the programme;

(c) The service shall be applicable to any subject in the field of disarmament;

5. *Expresses its appreciation* to the Governments of Bulgaria, the Federal Republic of Germany, Japan, Sweden and the United States of America for inviting fel-

lows to their countries in 1985 to study selected activities in the field of disarmament, thereby contributing to the fulfilment of the overall objectives of the programme;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the operations of the programme of fellowships and on the implementation of the provisions of the present resolution and to develop modalities for implementation of the training programmes and advisory services.

*117th plenary meeting
16 December 1985*

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, the second special session devoted to disarmament, concerning the convening of the third special session devoted to disarmament,⁸⁶

Recalling its resolution 38/73 I of 15 December 1983, in which it decided that the third special session devoted to disarmament should be held not later than 1988,

Recalling also its resolution 39/63 I of 12 December 1984,

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, the first special session devoted to disarmament,

Decides to set, at its forty-first session, the date of the third special session of the General Assembly devoted to disarmament and to establish the Preparatory Committee for the third special session.

*117th plenary meeting
16 December 1985*

40/152. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

A

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, in particular in the nuclear field,

Recalling that, in accordance with paragraph 20 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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 relevant resolutions on this subject,

⁸⁴ A/40/816.

⁸⁵ *Ibid.*, para. 31.

⁸⁶ *Official Records of the General Assembly, Twelfth Special Session, Annexes, agenda items 9 to 13, document A/S-12/32, para. 66.*

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 that, in paragraph 58 of the Final Document of the Tenth Special Session, 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 the primary responsibility for nuclear disarmament and for undertaking measures aimed at preventing the outbreak of nuclear war, *inter alia*, by establishing corresponding norms regulating relations between them,

Commemorating the fortieth anniversary of the end of the Second World War, the most destructive and bloody war in the history of mankind, and also commemorating the fortieth anniversary of the founding of the United Nations,

Reaffirming its conviction that removing the threat of a world war — a nuclear war — is the most acute and urgent task of the present time,

Convinced that the renunciation of the first use of nuclear weapons is a most important and urgent measure for the prevention of nuclear war, and taking note of the broad, positive international reaction to the concept of non-first use of nuclear weapons,

1. *Considers* that the solemn declarations by two nuclear-weapon States made or reiterated at the twelfth special session of the General Assembly, 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 that have not yet done so would consider making similar declarations with respect to not being the first to use nuclear weapons;

3. *Requests* the Conference on Disarmament to consider under its relevant agenda item, *inter alia*, the elaboration of an international instrument of a legally binding character laying down the obligation not to be the first to use nuclear weapons;

4. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Non-use of nuclear weapons and prevention of nuclear war".

117th plenary meeting
16 December 1985

B

BILATERAL NUCLEAR-ARMS AND SPACE-ARMS NEGOTIATIONS

The General Assembly,

Recalling its resolutions 38/183 P of 20 December 1983 and 39/148 B of 17 December 1984,

Welcoming warmly the resumption on 12 March 1985 of the bilateral negotiations at Geneva between the Union of Soviet Socialist Republics and the United States of America,

Noting that in their joint statement of 8 January 1985 the two Governments agreed that the subject of these negotiations is a complex of questions concerning space and nuclear arms — both strategic and intermediate-

range — with all these questions considered and resolved in their interrelationship,²

Noting that the agreed objective of these negotiations is to work out effective agreements aimed at preventing an arms race in space and terminating it on Earth, at limiting and reducing nuclear arms and at strengthening strategic stability,²

Noting also that the two sides believe that ultimately these negotiations, just as efforts in general to limit and reduce arms, should lead to the complete elimination of nuclear weapons everywhere,²

Noting further that both the Union of Soviet Socialist Republics and the United States of America have expressed their readiness to keep the other States Members of the United Nations duly informed of progress in their bilateral negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰

Convinced that, through negotiations pursued in a spirit of flexibility and with full account taken of the security interests of all States, it is possible to reach agreement,

Firmly convinced that an early agreement in these negotiations, in accordance with the principle of undiminished security at the lowest possible level of armaments, would be of crucial importance for the strengthening of international peace and security,

1. *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 their agreed objective in the negotiations, in accordance with the security interests of all States and the universal desire for progress towards disarmament;

2. *Urges* the Governments of the two States concerned to work actively towards the achievement of that objective in order to enable the negotiations to make substantial progress;

3. *Expresses its firmest possible encouragement and support* for these negotiations and their successful conclusion.

117th plenary meeting
16 December 1985

C

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,³²

Reaffirming 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,

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.⁸⁷

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,

Convinced of the necessity of rejecting any military doctrine and concept that might lead to the unleashing of a nuclear war and might impede measures to halt the nuclear-arms race,

Stressing the urgent need for a halt to the nuclear-arms race 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,¹⁰

Recalling its relevant resolutions on this subject,

Welcoming the negotiations between the Union of Soviet Socialist Republics and the United States of America on a complex of questions concerning space and nuclear arms — both strategic and intermediate-range — aimed at preventing an arms race in space and terminating it on Earth,²

Noting the belief expressed by the Union of Soviet Socialist Republics and the United States of America that ultimately their negotiations, just as efforts in general to limit and reduce arms, should lead to the complete elimination of nuclear arms everywhere,²

Welcoming the Doha Declaration issued on 28 January 1985 by the heads of State or Government of six States Members of the United Nations,²⁴ as well as the positive response this Declaration has met with in many States,

Taking note of the Final Political Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries, held at Luanda from 4 to 7 September 1985, in which is stressed, *inter alia*, the urgent need to initiate multilateral negotiations in the Conference on Disarmament on the cessation of the nuclear-arms race and nuclear disarmament,⁸⁸

Taking note also of the relevant deliberations of the Disarmament Commission in 1985 with regard to item 4 of its agenda, as contained in its report,⁸⁹

Noting that the Conference on Disarmament, at its 1985 session, discussed the question of the cessation of the nuclear-arms race and nuclear disarmament,⁵⁴ including the establishment of an *ad hoc* committee for negotiations on that question,

Regretting, however, that the Conference on Disarmament was unable to reach agreement on the establishment of an *ad hoc* committee 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 to fulfil its negotiating role with regard to the cessation of the nuclear-arms race and nuclear disarmament, and that for this purpose all members of the Conference should display a constructive approach to such negotiations, bearing in mind the high priority they have 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 multilateral 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 and especially to begin the elaboration of practical measures for the cessation of the nuclear-arms race and for nuclear disarmament in accordance with paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ including a nuclear-disarmament programme, and to establish for this purpose an *ad hoc* committee;

2. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Cessation of the nuclear-arms race and nuclear disarmament: report of the Conference on Disarmament".

117th plenary meeting
16 December 1985

D

COMPREHENSIVE PROGRAMME OF DISARMAMENT

The General Assembly,

Recalling that in paragraph 109 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ the Assembly called for the elaboration of a comprehensive programme of disarmament encompassing 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,

Recalling also its resolution 38/183 K of 20 December 1983, in which it urged the Conference on Disarmament, as soon as it considered that the circumstances were 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,

Recalling further its resolution 39/148 I of 17 December 1984, in which it urged that all efforts be made so that the Conference on Disarmament might resume its work on the elaboration of the comprehensive programme of disarmament early in its 1985 session with a view to submitting to the General Assembly at its forty-first session a complete draft of such a programme,

Having examined the report of the *Ad Hoc* Committee on the Comprehensive Programme of Disarmament concerning its work during the 1985 session of the Conference on Disarmament,⁹⁰ which is an integral part of the report of the Conference,

1. *Notes* that in its report the *Ad Hoc* Committee on the Comprehensive Programme of Disarmament stated that during the 1985 session, despite intensive efforts, only modest progress was achieved;

2. *Urges* the Conference on Disarmament to resume the work on the elaboration of the comprehensive programme of disarmament at the beginning of its 1986 session with the firm intention of concluding that task and

⁸⁷ Resolution S-10/2, paras. 20 and 47.

⁸⁸ A/40/854-S/17610 and Corr.1, annex I, para. 38.

⁸⁹ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 42 (A/40/42)*, para. 27.

⁹⁰ *Ibid.*, Supplement No. 27 (A/40/27 and Corr.1), para. III.

submitting to the General Assembly at its forty-first session a complete draft of the programme;

3. *Decides* to include on the provisional agenda of its forty-first session the item entitled "Comprehensive programme of disarmament: report of the Conference on Disarmament".

*117th plenary meeting
16 December 1985*

E

DISARMAMENT WEEK

The General Assembly,

Gravely concerned over the escalating arms race, especially the nuclear-arms race, which represents a serious threat to the very existence of mankind,

Stressing the vital importance of eliminating the threat of a nuclear war, ending the nuclear-arms race and bringing about disarmament for the maintenance of world peace,

Emphasizing anew 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,

Recognizing the important role of the mass media in mobilizing world public opinion in support of disarmament,

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,⁹¹

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, the second special session devoted to disarmament, in particular the recommendation that Disarmament Week should continue to be widely observed,⁹²

Recalling also its resolutions 33/71 D of 14 December 1978, 34/83 I of 11 December 1979, 37/78 D of 9 December 1982, 38/183 L of 20 December 1983 and 39/148 J of 17 December 1984,

1. *Takes note with satisfaction* of the report of the Secretary-General⁹³ 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, in particular in holding the 1985 Disarmament Week in close connection with the celebrations of the fortieth anniversary of the end of the Second World War and of the foundation of the United Nations and the International Youth Year;

3. *Expresses serious concern* over the continued escalation of the arms race, especially the nuclear-arms race, and the imminent danger of its extension into outer space,

which gravely jeopardizes international peace and security and increases the danger of outbreak of a nuclear war;

4. *Stresses* the important role of the mass media in acquainting the world public with the aims of Disarmament Week and measures undertaken within its framework;

5. *Recommends* to all States that they observe Disarmament Week in 1986 in close connection with the celebration of the International Year of Peace;

6. *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;⁹⁴

7. *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, especially the nuclear-arms race, and requests them to inform the Secretary-General accordingly;

8. *Also invites* international non-governmental organizations to take an active part in Disarmament Week and to inform the Secretary-General of the activities undertaken;

9. *Further invites* the Secretary-General to use the United Nations mass media as widely as possible to promote better understanding among the world public of disarmament problems and the objectives of Disarmament Week;

10. *Requests* Governments to continue, in accordance with General Assembly resolution 33/71 D, to inform the Secretary-General of activities undertaken to promote the objectives of Disarmament Week;

11. *Requests* the Secretary-General, in accordance with paragraph 4 of resolution 33/71 D, to submit to the General Assembly at its forty-first session a report on the implementation of the provisions of the present resolution.

*117th plenary meeting
16 December 1985*

F

REPORT OF THE DISARMAMENT COMMISSION

The General Assembly,

Having considered the report of the Disarmament Commission,²⁸

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,¹⁰ 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,⁷⁵ the second special session devoted to disarmament,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make 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,

⁹¹ Resolution S-10/2, para. 102.

⁹² *Official Records of the General Assembly, Twelfth Special Session, Annexes, agenda items 9 to 13, document A/S-12/32, annex V, para. 12.*

⁹³ A/40/552 and Corr. 1.

⁹⁴ A/34/436.

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, 37/78 H of 9 December 1982, 38/183 E of 20 December 1983 and 39/148 R of 17 December 1984,

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 Session of the General Assembly,¹⁰ and with paragraph 3 of resolution 37/78 H, and to that end to make every effort to achieve specific recommendations, at its 1986 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 1985 substantive session;

4. *Requests* the Disarmament Commission to meet for a period not exceeding four weeks during 1986 and to submit a substantive report, containing specific recommendations on the items included in its agenda, to the General Assembly at its forty-first session;

5. *Requests* the Secretary-General to transmit to the Disarmament Commission the report of the Conference on Disarmament,⁹⁵ together with all the official records of the fortieth 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 forty-first session the item entitled "Report of the Disarmament Commission".

117th plenary meeting
16 December 1985

G

CLIMATIC EFFECTS OF NUCLEAR WAR, INCLUDING NUCLEAR WINTER

The General Assembly,

Recalling that in the Final Document of the Tenth Special Session of the General Assembly,¹⁰ after referring specifically to "the threat to the very survival of mankind" posed by the existence of nuclear weapons, it declared, in paragraph 18, that removing the threat of a world war — a nuclear war — is the most acute and urgent task of the present day,

Having examined the report of the Secretary-General⁹⁶ transmitting the compilation, requested in General Assembly resolution 39/148 F of 17 December 1984, of appropriate excerpts of all national and international scientific studies on the climatic effects of nuclear war, including nuclear winter, published so far,

Noting that the conclusions of some of those studies confirm that nuclear winter and other climatic effects of nuclear war pose an unprecedented peril to all nations, even those far removed from the nuclear explosions, which would add immeasurably to the previously known

dangers of nuclear war, without excluding the possibility of all the Earth being transformed into a darkened, frozen planet, where conditions would be conducive to mass extinction,

Noting also that from those conclusions and from various sections of the studies themselves it clearly follows that international efforts to carry out further systematic research are necessary,

1. *Expresses its appreciation* to the Secretary-General for the compilation of excerpts of scientific studies on the climatic effects of nuclear war, including nuclear winter, prepared in accordance with the request made in its resolution 39/148 F;

2. *Requests* the Secretary-General, with the assistance of a group of consultant experts⁹⁷ chosen by him, bearing in mind the advisability of wide geographical representation and of their qualifications in a broad range of scientific fields, to carry out a study on the climatic and potential physical effects of nuclear war, including nuclear winter, which will examine, *inter alia*, its socio-economic consequences and would take into account the Secretary-General's report and the source documents from which the compilation was prepared, together with any other relevant scientific studies;

3. *Also requests* the Secretary-General to transmit the study to the General Assembly in due time for consideration at its forty-second session, in 1987;

4. *Decides* to include in the provisional agenda of its forty-second session an item entitled: "Climatic effects of nuclear war, including nuclear winter: report of the Secretary-General".

117th plenary meeting
16 December 1985

H

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,¹⁰ 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,

Recalling also that in paragraph 50 of the Final Document it is also underlined that in the course of negotiations consideration can be given to mutual and agreed limitation or prohibition, without prejudice to the security of any State, of any types of nuclear armaments,

Stressing that the development and production of the nuclear neutron weapon is a dangerous consequence of the continuing qualitative arms race in the field of nuclear weapons, especially through the qualitative improvement and development of new nuclear warheads by enhancing specific characteristics of nuclear weapons,

Reaffirming its relevant resolutions on the prohibition of the nuclear neutron weapon,

Sharing the world-wide concern expressed by Member States, as well as by non-governmental organizations, about the continued and expanded production and intro-

⁹⁵ Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1).

⁹⁶ A/40/449 and Corr.2.

⁹⁷ Subsequently referred to as the Group of Consultant Experts to Carry Out a Study on the Climatic and Potential Physical Effects of Nuclear-War, including Nuclear Winter.

duction 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 Conference on Disarmament at its 1985 session of issues connected with the cessation of the nuclear-arms race and nuclear disarmament, as well as the prohibition of the nuclear neutron weapon,⁵⁴

Regretting that the Conference on Disarmament was prevented from reaching agreement on the commencement of negotiations on the cessation of the nuclear-arms race and nuclear disarmament, including the prohibition of the nuclear neutron weapon, in an appropriate organizational framework,

1. *Reaffirms its request* to the Conference on Disarmament 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 fortieth session;

3. *Requests* the Conference on Disarmament to submit a report on this question to the General Assembly at its forty-first session;

4. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Prohibition of the nuclear neutron weapon".

117th plenary meeting
16 December 1985

I

INTERNATIONAL CO-OPERATION FOR DISARMAMENT

The General Assembly,

Stressing again the urgent need for an active and sustained effort to expedite 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 session¹⁰ and confirmed in the Concluding Document of the Twelfth Special Session of the General Assembly,⁷⁵ the second special session devoted to disarmament,

Recalling the Declaration on International Co-operation for Disarmament of 11 December 1979⁹⁸ and its resolutions 36/92 D of 9 December 1981, 37/78 B of 9 December 1982, 38/183 F of 20 December 1983 and 39/148 M of 17 December 1984,

Stressing the vital importance of eliminating the danger of a nuclear war, halting the arms race and attaining disarmament, particularly in the nuclear field, for the preservation of peace and the strengthening of international security,

Deeply concerned over the continued nuclear-arms race, the initiation of a quantitatively and qualitatively more dangerous round of that race and the danger of the extension of the arms race to outer space, which has an immediate negative impact on the development of the interna-

tional situation and international relations and which will destabilize the situation and lead to a multiple increase of the danger of a nuclear conflict,

Bearing in mind the vital interest of all States in the adoption of concrete 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,

Stressing the topicality of the Delhi Declaration issued on 28 January 1985 by the heads of State or Government of six States Members of the United Nations,²⁴

Considering the increased activity of peace and anti-war movements in the struggle for peace, against the arms race and for disarmament,

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 of the General Assembly,

Emphasizing the duty of States to co-operate for the preservation of international peace and security, as set forth in the Charter of the United Nations and 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 1970,⁹⁹ the obligation to co-operate actively and constructively for the attainment of the aims of disarmament being an indispensable part of that duty,

Stressing that, within the framework of international co-operation for the attainment of the aims of disarmament, it is necessary to avert nuclear war by means of preventing an arms race in outer space and halting it on Earth, and limiting and reducing nuclear armaments up to the complete elimination of nuclear weapons everywhere on the basis of the principle of equal security,

Underlining the need to halt both qualitative improvement and quantitative build-up of nuclear weapons so as to take the first step towards their radical reduction,

Believing that the two nuclear-weapon States which possess the most important nuclear arsenals should take the lead and show a good example in curbing the arms race and preventing its spread to outer space,

Stressing that proposals, relatively simple in their execution and at the same time effective, and agreements aimed at eliminating the use or the threat of use of force, be it on a world-wide or regional scale, would 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 disarmament issues,

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 the principles of reciprocity, equality, undiminished security and the non-use of force in international relations, and to refrain at the same time from developing new 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;

⁹⁸ Resolution 34/88.

⁹⁹ Resolution 2625 (XXV), annex.

3. *Emphasizes* the necessity of refraining from war propaganda, in particular from propaganda for a nuclear war — global or limited — and from the elaboration and dissemination of any doctrines and concepts endangering international peace and justifying the unleashing of nuclear war, which lead to deterioration of the international situation and to further intensification of the arms race and which 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,¹⁰⁰ constitutes a phenomenon incompatible with the idea of international co-operation for disarmament;

5. *Expresses the firm conviction* that for effective international co-operation for the attainment of the aims of disarmament it is inevitable that the policy of States, primarily of those which dispose of nuclear weapons, be directed to averting a nuclear war;

6. *Demands* that the arms race not be extended into other spheres of human activity, such as outer space, that should be used for peaceful purposes, exclusively for the benefit of mankind;

7. *Appeals* to States which are members of military groupings to promote, on the basis of the Final Document of the Tenth Special Session and 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;

8. *Calls upon* all Member States to continue to cultivate and disseminate, particularly in connection with the World Disarmament Campaign,⁸⁰ launched by the General Assembly at its twelfth special session, the ideas of international co-operation for disarmament, in particular through their educational systems, mass media and cultural policies;

9. *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;

10. *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.

*117th plenary meeting
16 December 1985*

J

IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS OF THE TENTH SPECIAL SESSION

The General Assembly,

Recalling its resolution 39/148 L of 17 December 1984,

Noting with concern that the problem identified in the above-mentioned resolution has not been alleviated,

Firmly convinced that all States have a vital interest in the success of disarmament negotiations,

Bearing in mind paragraph 28 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ in which it affirmed that all States have the duty to contribute to the efforts in the field of disarmament and that all States have the right to participate in disarmament negotiations,

Recalling further its resolution 38/183 F of 20 December 1983, in which it called upon the Governments of all States to contribute substantially, *inter alia*, to halting and reversing the arms race, particularly in the nuclear field, and thus to reducing the danger of nuclear war,

1. *Reiterates once more* the right of all States not members of the Conference on Disarmament to participate in the work of the plenary sessions of the Conference on substantive questions;

2. *Urges* States members of the Conference on Disarmament not to misuse the rules of procedure of the Conference so as to prevent States not members from participating in the work of the Conference.

*117th plenary meeting
16 December 1985*

K

UNITED NATIONS DISARMAMENT STUDIES

The General Assembly,

Recalling that, in paragraph 96 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ the Assembly stated that:

“Taking further steps in the field of disarmament and other measures aimed at promoting international peace and security would be facilitated by carrying out studies by the Secretary-General in this field with appropriate assistance from governmental or consultant experts.”

Recalling also the relevant parts of the United Nations study on the institutional arrangements relating to the process of disarmament,¹⁰¹

Aware that a number of United Nations studies have been concluded satisfactorily in the field of disarmament, and that the reports on them presented to the General Assembly have contributed significantly to the clarification of certain issues,

Noting that, even where diverse views have been reflected, the final reports elaborated by United Nations expert groups so far have stimulated wider-ranging discussions on a variety of issues,

Noting the recent non-completion of final reports on two studies, despite renewal of the mandate in both cases by the General Assembly,

Noting the discussions that have taken place in the Advisory Board on Disarmament Studies,¹⁰²

Believing that a thorough appraisal of the subject, including the methods of work to be adopted by United Nations expert groups, could enhance the value and relevance of United Nations studies in the field of disarmament,

1. *Reaffirms* the value of United Nations studies, prepared with appropriate assistance from governmental or consultant experts, as a useful means by which important issues in the field of arms limitation and disarmament can be addressed in a comprehensive and detailed manner;

2. *Invites* Member States to communicate to the Secretary-General, by 1 April 1986, their views and proposals

¹⁰⁰ Resolution 1514 (XV).
¹⁰¹ A/36/392, annex.

¹⁰² See A/40/744, sect. II.A.

on how the work of the United Nations in the field of disarmament studies can be further improved;

3. *Requests* the Secretary-General to transmit the replies of Member States to the General Assembly at its forty-first session and to the Advisory Board on Disarmament Studies;

4. *Also requests* the Secretary-General to invite the Advisory Board on Disarmament Studies to prepare a comprehensive report on these matters for submission to the General Assembly at its forty-second session;

5. *Decides* to include in the provisional agenda of its forty-first session an item entitled "United Nations disarmament studies".

117th plenary meeting
16 December 1985

L

REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF THE DECLARATION OF THE 1980s AS THE SECOND DISARMAMENT DECADE

The General Assembly,

Recalling its resolution 35/46 of 3 December 1980, by which it adopted the Declaration of the 1980s as the Second Disarmament Decade,

Recalling also its resolution 39/148 Q of 17 December 1984, by which it decided to review and appraise at its fortieth session, in 1985, the implementation of the Declaration,

Noting with concern that half-way through the Second Disarmament Decade its goals are far from being achieved and that no substantial progress has been made even on items of highest priority,

Alarmed at the continued escalation of the arms race, particularly the nuclear-arms race,

Also alarmed at the recent findings of the possible consequences of a nuclear war under present circumstances, as documented by competent scientists,

Deeply concerned at the continued dissipation of ever-increasing human and material resources on the arms race,

Taking note of the views of Member States and suggestions made by them on the implementation of the Declaration,

Taking note with satisfaction of the part of the report of the Disarmament Commission on the item entitled "Review and appraisal of the implementation of the Declaration of the 1980s as the Second Disarmament Decade: preliminary assessment and suggestions to ensure progress",¹⁰³

Welcoming the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America in accordance with the joint statement issued by the two Governments on 8 January 1985,²

1. *Decides* to adopt the relevant part of the report of the Disarmament Commission,¹⁰³

2. *Requests* the Conference on Disarmament to accelerate the implementation of the activities elaborated in the Declaration of the 1980s as the Second Disarmament Decade, as enumerated in the report of the Disarmament Commission,

3. *Calls upon* all States, particularly the nuclear-weapon States:

(a) To reaffirm their commitment to the Declaration of the 1980s as the Second Disarmament Decade;

(b) To reaffirm their commitment to the attainment of the ultimate objective of general and complete disarmament under effective international control;

(c) To adopt concrete and practical measures for preventing the outbreak of war, in particular nuclear war;

(d) To take appropriate steps to halt and reverse the nuclear-arms race with a view to improving the international climate and enhancing the efficacy of disarmament negotiations;

(e) To exert greater efforts in the implementation of the World Disarmament Campaign;

4. *Requests* the Secretary-General to report annually to the General Assembly on the implementation of the Declaration of the 1980s as the Second Disarmament Decade.

117th plenary meeting
16 December 1985

M

REPORT OF THE CONFERENCE 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, 37/78 G of 9 December 1982, 38/183 I of 20 December 1983 and 39/148 N of 17 December 1984,

Recalling also the Final Document of the Tenth Special Session of the General Assembly,¹⁰ the first special session devoted to disarmament, and the Concluding Document of the Twelfth Special Session of the General Assembly,⁷⁵ the second special session devoted to disarmament,

Having considered the report of the Conference on Disarmament,⁹⁵

Convinced that the Conference on Disarmament, 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* committees 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,

Expressing its satisfaction at the establishment within the Conference on Disarmament of an *Ad Hoc* Committee on the prevention of an arms race in outer space,

Deploring the fact that, despite the repeated requests of the General Assembly and the expressed wish of the great majority of members of the Conference on Disarmament, the establishment of an *ad hoc* committee on the cessation of the nuclear-arms race and on nuclear disarmament was once again prevented during the 1985 session of the Conference,

Deploring also the fact that the Conference on Disarmament has not been enabled to set up *ad hoc* committees under item 1 of its agenda, entitled "Nuclear-test ban", and on the prevention of nuclear war,

Noting that some progress has been made in the negotiations on the elaboration of a draft convention on the pro-

¹⁰³ Official Records of the General Assembly, Fortieth Session, Supplement No. 42 (A/40/42), para. 32 and annex VII.

hibition of the development, production and stockpiling of all chemical weapons and on their destruction,

1. *Expresses its deep concern and disappointment* that the Conference on Disarmament has not been enabled, this year either, to reach concrete agreements on any 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. *Calls upon* the Conference on Disarmament to intensify its work, to further its mandate more earnestly through negotiations and to adopt concrete measures on the specific priority issues of disarmament on its agenda, in particular those relating to nuclear disarmament;

3. *Once again urges* the Conference on Disarmament to continue or to undertake, during its 1986 session, 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 resolutions of the Assembly on those questions;

4. *Calls upon* the Conference on Disarmament to provide the existing *ad hoc* committees, including the *Ad Hoc* Committee on the prevention of an arms race in outer space, with appropriate negotiating mandates and to establish, as a matter of urgency, the *ad hoc* committees under item 1 of its agenda, entitled "Nuclear-test ban", on the cessation of the nuclear-arms race and nuclear disarmament and on the prevention of nuclear war;

5. *Urges* the Conference on Disarmament to undertake, without further delay, negotiations with a view to elaborating a draft treaty on a nuclear-test ban;

6. *Also urges* the Conference on Disarmament to intensify further its work on the elaboration of a draft convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction;

7. *Once again 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;

8. *Requests* the Conference on Disarmament to submit a report on its work to the General Assembly at its forty-first session;

9. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Report of the Conference on Disarmament".

117th plenary meeting
16 December 1985

N

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,¹⁰ the first special session devoted to disarmament, as well as the Concluding Document of the Twelfth Special Session of the General Assembly,⁷⁵ 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, 37/78 F of 9 December 1982, 38/183 H of 20 December 1983 and 39/148 O of 17 December 1984 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 seven years since that session, that in the meantime the arms race, particularly in its nuclear aspect, has gained in intensity, that there has been further deployment of nuclear weapons in some parts of the world, that annual global military expenditures are estimated to have reached the staggering figure of \$1,000 billion, that mankind is faced with a real danger of spreading the arms race into outer space, that urgent measures to prevent nuclear war and for disarmament have not been adopted and that continued colonial domination and foreign occupation, open threats, pressures and military intervention against independent States and violations 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 nuclear deterrence and on the 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,

Believing that the preservation of the existing bilateral, regional and global system of arms limitation and disarmament agreements and the strict observance of such agreements by their parties are important elements of disarmament efforts at all levels,

Noting with great concern that no real progress in disarmament negotiations has been achieved in the course of several years, which has rendered the current international situation even more dangerous and insecure,

Expressing the desire that the launching of negotiations between the United States of America and the Union of Soviet Socialist Republics would produce agreements on preventing an arms race in outer space and on significant reductions in their strategic and intermediate-range nuclear-weapon systems; as well as that the results of these negotiations would lead to a relaxation of tension in their mutual relations and in the world at large,

Considering that bilateral negotiations should not in any way diminish the urgent need to initiate and pursue multilateral negotiations in the Conference on Disarmament on the cessation of the nuclear-arms race and nuclear disarmament and on the prevention of an arms race in outer space,

Stressing that it is more than ever imperative in the present circumstances to give a new impetus to negotiations on disarmament, in particular nuclear disarmament, at all levels and to achieve genuine progress in the immediate future and that all States should refrain from any actions which have or may have negative effects on the outcome of disarmament negotiations,

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,¹⁰ 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,

retains 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, which threaten international peace and security and increase the danger 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 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* great Powers to pursue their negotiations in a constructive and accommodating spirit and taking into account the interest of the entire international community in order to halt the arms race, particularly the nuclear-arms race, and to achieve disarmament;

5. *Calls upon* the Conference on Disarmament to proceed urgently to negotiations on the cessation of the nuclear-arms race and nuclear disarmament and on the prevention of nuclear war, to undertake and intensify negotiations on the prevention of an arms race in outer space 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. *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 and/or results of such negotiations, in conformity with the relevant provisions of the Final Document of the Tenth Special Session;

8. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Implementation of the recommendations and decisions of the tenth special session".

*117th plenary meeting
16 December 1985*

O

VERIFICATION IN ALL ITS ASPECTS

The General Assembly,

Conscious of the urgent need to reach agreements on arms limitation and disarmament measures capable of contributing to the maintenance of peace and security,

Convinced that, if such measures are to be effective, they must be fair and balanced, acceptable to all parties, their substance must be clear and compliance with them must be evident,

Reaffirming its conviction, as expressed in paragraph 91 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ adopted by consensus at that session, its first special session devoted to disarmament, that in order to facilitate the conclusion and effective implementation of disarmament agreements and to create confidence, States should accept appropriate provisions for verification in such agreements,

Reiterating its view that:

(a) Disarmament and arms limitation agreements should provide for adequate measures of verification satisfactory to all parties concerned in order to create the necessary confidence and to ensure that they are being observed by all parties,

(b) The form and modalities of the verification to be provided for in any specific agreement depend upon and should be determined by the purposes, scope and nature of the agreement,

(c) Agreements should provide for the participation of parties directly or through the United Nations system in the verification process,

(d) Where appropriate, a combination of several methods of verification as well as other compliance procedures should be employed,

Recalling that:

(a) In the context of international disarmament negotiations, the problem of verification should be further examined and adequate methods and procedures in this field should be considered,

(b) Every effort should be made to develop appropriate methods and procedures that are non-discriminatory and that do not unduly interfere with the internal affairs of other States or jeopardize their economic and social development,

Believing that verification techniques should be developed as an objective means of determining compliance with agreements and appropriately taken into account in the course of disarmament negotiations,

1. *Calls upon* Member States to intensify their efforts towards achieving agreements on balanced, mutually acceptable, verifiable and effective arms limitation and disarmament measures;

2. *Invites* all Member States, bearing in mind the Final Document of the Tenth Special Session of the General Assembly, to communicate to the Secretary-General, not later than 15 April 1986, their views and suggestions on verification principles, procedures and techniques for promoting the inclusion of adequate verification in arms limitation and disarmament agreements and on the role of the United Nations in the field of verification;

3. *Requests* the Secretary-General to prepare and submit to the General Assembly at its forty-first session a report containing the views and suggestions of Member States;

4. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Verification in all its aspects" under the item entitled "Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: implementation of the recommendations and decisions of the tenth special session".

*117th plenary meeting
16 December 1985*

P

CESSATION OF THE NUCLEAR-ARMS RACE AND
NUCLEAR DISARMAMENT*The General Assembly,*

Recalling that, in paragraph 11 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ the first special session devoted to disarmament, the Assembly stated that the nuclear-arms race, far from contributing to the strengthening of the security of all States, on the contrary weakens it and increases the danger of the outbreak of a nuclear war and that existing arsenals of nuclear weapons are more than sufficient to destroy all life on Earth,

Recalling also that, in paragraph 47 of the Final Document, the Assembly expressed the belief that nuclear weapons pose the greatest danger to mankind and to the survival of civilization, 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, and that the ultimate goal in this context is the complete elimination of nuclear weapons,

Noting that, in 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, it was stated that the renewed escalation of the nuclear-arms race, as well as reliance on doctrines of nuclear deterrence, had heightened the risk of the outbreak of nuclear war and led to greater insecurity and instability in international relations, and that it was also stated that nuclear weapons were more than weapons of war, that such weapons were instruments of mass annihilation,⁷⁶

Noting further that, in the Final Political Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries held at Luanda from 4 to 7 September 1985, it was stated that doctrines of nuclear deterrence, far from contributing to the maintenance of international peace and security, lay at the root of the continuing escalation in quantitative and qualitative development of nuclear weapons,⁷⁷

Believing that all nations have a vital interest in negotiations on nuclear disarmament because the existence of nuclear weapons in the arsenals of a handful of States directly and fundamentally jeopardizes the vital security interests of both nuclear and non-nuclear-weapon States alike,

Considering that it is necessary to halt all testing, production and deployment of nuclear weapons and their delivery systems as a first step in the process which should lead to the achievement of substantial reductions in nuclear forces, and welcoming in this context the Joint Declaration issued on 22 May 1984 by the heads of State or Government of six States Members of the United Nations,⁵⁵ which was reaffirmed in the Delhi Declaration issued by those States on 28 January 1985,²⁴

Convinced of the imperative need to take constructive action towards halting and reversing the nuclear-arms race,

1. *Takes note* of the initiation of bilateral negotiations on nuclear and space arms and affirms that such negotiations in no way diminish the urgent need to initiate multilateral negotiations in the Conference on Disarmament on the cessation of the nuclear-arms race and nuclear disarmament;

2. *Believes* that efforts should be intensified with a view to initiating, as a matter of the highest priority, multilateral negotiations in accordance with the provisions of

paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly;¹⁰

3. *Again requests* the Conference on Disarmament to establish an *ad hoc* committee at the beginning of its 1986 session to elaborate on paragraph 50 of the Final Document and to submit recommendations to the Conference as to how it could best initiate multilateral negotiations of agreements, with adequate measures of verification, in appropriate stages for:

(a) Cessation of the qualitative improvement and development of nuclear-weapon systems;

(b) Cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes;

(c) Substantial reduction in existing nuclear weapons with a view to their ultimate elimination;

4. *Requests* the Conference on Disarmament to report to the General Assembly at its forty-first session on its consideration of this subject;

5. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Cessation of the nuclear-arms race and nuclear disarmament".

*117th plenary meeting
16 December 1985*

Q

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 nuclear-arms race,

Deeply concerned by 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,

Conscious 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,¹⁰ regarding the procedures designed to secure the avoidance of nuclear war,

Recalling 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 stated that nuclear weapons were more than weapons of war, they were instruments of mass annihilation,⁷⁶ and that at the Conference of Ministers of Foreign Affairs of Non-Aligned Countries held at Luanda from 4 to 7 September 1985, it was stated that measures for the prevention of nuclear war and for nuclear disarmament must take into account the security interests of nuclear-weapon and non-nuclear-weapon States alike and ensure that the survival of mankind is not endangered,⁷⁷

Recalling further its resolutions 36/81 B of 9 December 1981, 37/78 I of 9 December 1982, 38/183 G of 20 December 1983 and, in particular, its resolution 39/148 P of 17 December 1984, in which it expressed its conviction that, in view of the urgency of this matter and the inadequacy or insufficiency of existing measures, it is necessary to devise suitable steps to expedite effective action for the prevention of nuclear war, and again requested the Con-

ference 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 Conference on Disarmament on its 1985 session,⁹⁵

Noting with grave concern that the Conference on Disarmament was once again unable to start negotiations on the question during its 1985 session,

Taking into account the deliberations on this item at its fortieth session,

Convinced that the prevention of nuclear war and the reduction of the risk of nuclear war are matters of the highest priority and of vital interest to all peoples of the world,

Also convinced that the prevention of nuclear war is a problem too important to be left to the nuclear-weapon States alone,

Taking note of the report of the Secretary-General,¹⁰⁴

1. *Notes with regret* that, despite the fact that the Conference on Disarmament has discussed the question of the prevention of nuclear war for several years, it has been unable even to establish a subsidiary body to consider appropriate and practical measures to prevent it;

2. *Reiterates its conviction* that, in view of the urgency of this matter and the inadequacy or insufficiency of existing measures, it is necessary to devise suitable steps to expedite effective action for the prevention of nuclear war;

3. *Again requests* the Conference 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 and to establish for that purpose an *ad hoc* committee on the subject at the beginning of its 1986 session;

4. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Prevention of nuclear war".

*17th plenary meeting
16 December 1985*

40/153. 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, 37/96 of 13 December 1982, 38/185 of 20 December 1983 and 39/149 of 17 December 1984, and other relevant resolutions,

Recalling further the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean,¹⁰⁵

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 its thirty-ninth session in resolution 39/149, concerning the convening of the Conference in the first half of 1986,

Recalling the exchange of views in the *Ad Hoc* Committee on the Indian Ocean in 1985,¹⁰⁶

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 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 Ocean¹⁰⁷ and the exchange of views in the Committee;

2. *Emphasizes* its decision to convene the Conference on the Indian Ocean at Colombo as a necessary step for the implementation of the Declaration of the Indian Ocean as a Zone of Peace, adopted in 1971;

3. *Notes* that the *Ad Hoc* Committee has been unable, during 1985, to complete preparatory work relating to the convening of the Conference on the Indian Ocean and

¹⁰⁴ A/40/498.

¹⁰⁵ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 45 (A/34/45 and Corr.1).

¹⁰⁶ See A/AC.159/SR.266-272, 274, 277-279, 281-285, 287 and 288 and A/AC.159/SR.263-292/Corrigendum.

¹⁰⁷ Official Records of the General Assembly, Fortieth Session, Supplement No. 29 (A/40/29).

urges the Committee to continue its work with vigour and determination;

4. *Requests* the *Ad Hoc* Committee, taking into account the political and security climate in the region, to complete preparatory work relating to the Conference on the Indian Ocean during 1986 in order to enable the opening of the Conference at Colombo at an early date soon thereafter, but not later than 1988, to be decided by the Committee in consultation with the host country;

5. *Emphasizes* that the Conference called for in its resolution 34/80 B and subsequent resolutions and the establishment and maintenance of the Indian Ocean as a zone of peace require the full and active participation and co-operation of all the permanent members of the Security Council, the major maritime users and the littoral and hinterland States;

6. *Decides* that preparatory work would comprise organizational matters and substantive issues, including the provisional agenda for the Conference, rules of procedure, participation, stages of the Conference, level of representation, documentation, consideration of appropriate arrangements for any international agreements that may ultimately be reached for the maintenance of the Indian Ocean as a zone of peace and the preparation of the draft final document of the Conference;

7. *Requests* the *Ad Hoc* Committee at the same time to seek the necessary harmonization of views on remaining relevant issues;

8. *Requests* the Chairman of the *Ad Hoc* Committee to consult the Secretary-General, at the appropriate time, on the establishment of a secretariat for the Conference;

9. *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;

10. *Requests* the *Ad Hoc* Committee to hold three preparatory sessions in 1986 of a duration of two weeks each, for completion of the preparatory work;

11. *Requests* the *Ad Hoc* Committee to submit to the Conference a report on its preparatory work;

12. *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 that are not members of the Committee, with the aim of resolving this matter at the earliest possible date;

13. *Requests* the *Ad Hoc* Committee to submit to the General Assembly at its forty-first session a full report on the implementation of the present resolution;

14. *Requests* the Secretary-General to continue to render all necessary assistance to the *Ad Hoc* Committee, including the provision of summary records, in recognition of its preparatory function.

117th plenary meeting
16 December 1985

40/154. 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,

37/97 of 13 December 1982, 38/186 of 20 December 1983 and 39/150 of 17 December 1984,

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,¹⁰⁸

Recalling that, in paragraph 122 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ 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, contained in the annex to its resolution 35/46 of 3 December 1980, 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 paragraph 14 of its report to the General Assembly,¹⁰⁸ the *Ad Hoc* Committee on the World Disarmament Conference stated 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 fortieth 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 39/150, also adopted by consensus”;

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 nuclear-weapon States in order to remain currently informed of their positions, as well as with all other States, and to consider any relevant comments and observations which might be made to the Committee, especially bearing 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 forty-first session;

5. *Decides* to include in the provisional agenda of its forty-first session the item entitled “World Disarmament Conference”.

117th plenary meeting
16 December 1985

40/155. Relationship between disarmament and development

The General Assembly,

Recalling its resolutions 38/71 B of 15 December 1983 and 39/160 of 17 December 1984,

Recalling, in particular, its decision to convene an International Conference on the Relationship between Disarm-

¹⁰⁸ *Ibid.*, Supplement No. 28 (A/40/28).

ame and Development, which should be preceded by thorough preparation and should take decisions by consensus, and to set up a Preparatory Committee for the Conference, which should formulate and submit, by consensus, to the General Assembly, at its fortieth session, recommendations as to the provisional agenda, procedure, place, date and duration of the Conference,

1. *Takes note with satisfaction* of the report of the Preparatory Committee for the International Conference on the Relationship between Disarmament and Development¹⁰⁹ and approves the recommendations contained therein;

2. *Recommends* for adoption by the International Conference on the Relationship between Disarmament and Development the following provisional agenda drawn up by the Preparatory Committee:

1. Opening of the Conference
2. Election of the President
3. Adoption of the rules of procedure
4. Election of the other officers
5. Credentials of the representatives to the Conference:
 - (a) Appointment of the Credentials Committee;
 - (b) Report of the Credentials Committee
6. Adoption of the agenda
7. Organization of work
8. Consideration of the relationship between disarmament and development in all its aspects and dimensions with a view to reaching appropriate conclusions
9. Consideration of the implications of the level and magnitude of military expenditures, in particular those of nuclear-weapon States and other militarily important States, for the world economy and the international economic and social situation, particularly for the developing countries, and formulation of appropriate recommendations for remedial measures
10. Consideration of ways and means of releasing additional resources, through disarmament measures, for development purposes, in particular for the benefit of developing countries
11. Adoption of the final document of the Conference
12. Adoption of the report of the Conference to the General Assembly;

3. *Also recommends* for adoption by the Conference the proposals relating to procedure contained in the report of the Preparatory Committee;¹¹⁰

4. *Expresses its appreciation* to the Government of France for its invitation to act as host to the Conference, and accordingly decides that the Conference shall be held in Paris from 15 July to 2 August 1986;¹¹¹

5. *Requests* the Secretary-General to invite all States to participate in the Conference and to apply, as regards other participants and observers, the provisions of section XI of the provisional rules of procedure for the Conference, annexed to the report of the Preparatory Committee;

6. *Authorizes* the Preparatory Committee to hold one or, if necessary, two additional sessions, each of two weeks' duration, open to all States and devoted to consid-

eration of the substantive questions included in the agenda for the Conference;

7. *Decides* that the second session of the Preparatory Committee shall be held in New York from 1 to 11 April 1986 and that, if necessary, a third session shall be held in New York in June, taking into account all relevant factors, including the need for minimizing costs and for adequate representation;

8. *Requests* the Secretary-General to appoint the Secretary-General of the Conference;

9. *Requests* the Secretary-General of the Conference to assist in the tasks provided for in paragraph 19 of the report of the Preparatory Committee and to ensure implementation of the recommendations contained in paragraphs 20 (documentation), 21 (convening of a panel of eminent personalities qualified in the field of disarmament and development¹¹²), 22 (appropriate information to the General Assembly on the preparatory process) and 23 (dissemination of information relating to the Conference and its preparatory work);

10. *Requests* the organizations of the United Nations system and the International Atomic Energy Agency to contribute fully to the preparatory work in the field of documentation, in conformity with the recommendations contained in paragraph 20 of the report of the Preparatory Committee.

*117th plenary meeting
16 December 1985*

40/156. Question of Antarctica

A

The General Assembly,

Recalling its resolutions 38/77 of 15 December 1983 and 39/152 of 17 December 1984,

Having considered the item entitled "Question of Antarctica",

Welcoming the increasing international awareness of and interest in Antarctica,

Bearing in mind the Antarctic Treaty¹¹³ and the significance of the system it has developed,

Taking into account the debate on this item at its fortieth session,¹¹⁴

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 Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,¹¹⁵ and of the Final Political Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries, held at Luanda from 4 to 7 September 1985,¹¹⁶ as well as the resolution on Antarctica adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985,¹¹⁷

¹⁰⁹ *Ibid.*, Supplement No. 51 (A/40/51).

¹¹⁰ *Ibid.*, sect. III.E.

¹¹¹ See also sect. X.B.1, decision 40/473.

¹¹² Subsequently referred to as the Panel of Eminent Personalities on the Relationship between Disarmament and Development.

¹¹³ United Nations, *Treaty Series*, vol. 402, No. 5778, p. 72.

¹¹⁴ *Official Records of the General Assembly, Fortieth Session, First Committee*, 48th to 55th meetings; and *ibid.*, *First Committee, Sessional Fascicle*, corrigendum.

¹¹⁵ A/38/132-S/15675 and Corr.1 and 2, annex, sect. III, paras. 122 and 123.

¹¹⁶ A/40/854-S/17610 and Corr.1, annex I, paras. 58-60.

¹¹⁷ A/40/666, annex II, resolution CM/Res.988 (XLII).

Conscious of the significance of Antarctica to the international community in terms, *inter alia*, of international peace and security, economy, environment, scientific research and meteorology,

Recognizing, therefore, the interest of mankind as a whole in Antarctica,

Bearing in mind the United Nations Convention on the Law of the Sea,⁵⁷

Noting once again with appreciation the study on the question of Antarctica,¹¹⁸

Convinced that it would be desirable to examine further certain issues affecting Antarctica,

1. Requests the Secretary-General to update and expand the study on the question of Antarctica by addressing questions concerning the availability to the United Nations of information from the Antarctic Treaty Consultative Parties on their respective activities in and their deliberations regarding Antarctica, the involvement of the relevant specialized agencies and intergovernmental organizations in the Antarctic Treaty system and the significance of the United Nations Convention on the Law of the Sea in the southern ocean;

2. Requests the Secretary-General to seek the co-operation of all Member States and the relevant specialized agencies, organs, organizations and bodies of the United Nations system, as well as the relevant intergovernmental and non-governmental bodies, in the preparation of the updated study by inviting them to transmit, as appropriate, their views and any information they may wish to provide;

3. Requests the Secretary-General to submit the study to the General Assembly at its forty-first session;

4. Decides to include in the provisional agenda of its forty-first session the item entitled "Question of Antarctica".

117th plenary meeting
16 December 1985

B

The General Assembly,

Recalling its resolutions 38/77 of 15 December 1983 and 39/152 of 17 December 1984,

Having considered the item entitled "Question of Antarctica",

Recalling the relevant paragraphs 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 1983,¹¹⁵ and of the Final Political Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries held at Luanda from 4 to 7 September 1985,¹¹⁶ as well as the resolution on Antarctica adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985,¹¹⁷

Recognizing that the management, exploration and use of Antarctica should be conducted in accordance with the purposes and principles of the Charter of the United Nations and in the interest of maintaining international peace and security and of promoting international co-operation for the benefit of mankind as a whole,

Aware that negotiations are in progress among the Antarctic Treaty Consultative Parties, with the non-Consultative Parties as observers, to which other States are not

privy, with a view to establishing a régime regarding Antarctic minerals,

1. Affirms that any exploitation of the resources of Antarctica should ensure the maintenance of international peace and security in Antarctica, the protection of its environment, the non-appropriation and conservation of its resources and the international management and equitable sharing of the benefits of such exploitation;

2. Invites the Antarctic Treaty Consultative Parties to inform the Secretary-General of their negotiations to establish a régime regarding Antarctic minerals;

3. Requests the Secretary-General to submit to the General Assembly for consideration at its forty-first session a report containing the replies received from Consultative Parties;

4. Decides to include in the provisional agenda of its forty-first session the item entitled "Question of Antarctica".

117th plenary meeting
16 December 1985

C

The General Assembly,

Having considered the item entitled "Question of Antarctica",

Noting with regret that the racist *apartheid* régime of South Africa, which has been suspended from participation in the General Assembly of the United Nations, is a Consultative Party to the Antarctic Treaty,¹¹³

Recalling the interest of African States in Antarctica as shown by the resolution adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985,¹¹⁷

Recalling further that the Antarctic Treaty is, by its terms, intended to further the purposes and principles embodied in the Charter of the United Nations,

1. Views with concern the continued status of the *apartheid* régime of South Africa as a Consultative Party to the Antarctic Treaty;

2. Urges the Antarctic Treaty Consultative Parties to exclude the racist *apartheid* régime of South Africa from participation in the meetings of the Consultative Parties at the earliest possible date;

3. Invites the States parties to the Antarctic Treaty to inform the Secretary-General on the actions taken regarding the provisions of the present resolution.

117th plenary meeting
16 December 1985

40/157. Strengthening of security and co-operation in the Mediterranean region

The General Assembly,

Recalling its resolutions 36/102 of 9 December 1981, 37/118 of 16 December 1982, 38/189 of 20 December 1983 and 39/153 of 17 December 1984,

Recognizing the importance of promoting peace, security and co-operation in the Mediterranean region and of strengthening further the economic, commercial and cultural links in the region,

¹¹⁸ A/39/583 (Part I) and Corr.1-3 and A/39/583 (Part II) and Corr.1, vols. I-III.

Expressing concern over persistent and increasing tension in parts of the Mediterranean region and the consequent threat to peace,

Deeply concerned at the recent extension of military operations to new areas of the Mediterranean and the grave dangers which these create for peace, security and general equilibrium in the region,

Considering, in this regard, the urgency for all States to conform in their actions to the purposes and principles of the Charter of the United Nations, as well as to 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,⁹⁹

Reaffirming the need to promote security and to strengthen co-operation in the region, as provided for in the Mediterranean chapter of the Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975,

Recalling the declarations of successive meetings of non-aligned countries concerning the Mediterranean, as well as official declarations on, and contributions to, peace and security in the Mediterranean region made by individual countries,

Reaffirming the primary role of Mediterranean countries in the promotion of security and co-operation in the Mediterranean region,

Recalling, in this connection, the Final Declaration adopted at Valletta on 11 September 1984 by the Mediterranean members of the Movement of Non-Aligned Countries,¹¹⁹ and the commitments assumed by the participants with the objective of contributing to peace and security in the region,

Taking note of the fact that a meeting of economic experts of the Mediterranean members of the Movement of Non-Aligned Countries was held at Valletta on 13 and 14 November 1985, in the context of their efforts to strengthen regional co-operation in various fields,

Taking note of the debate on this item during the various sessions of the General Assembly,

Taking note also of the note by the Secretary-General¹²⁰ and of the replies contained therein received in 1985 from Governments in accordance with General Assembly resolution 39/153,

1. *Reaffirms*:

(a) That the security of the Mediterranean is closely linked with European security and 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, peaceful settlement of disputes and respect for permanent sovereignty over natural resources;

(c) The need for just and viable solutions of 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. *Welcomes* any further communication to the Secretary-General, from all States, of proposals, declarations and recommendations on strengthening peace, security and co-operation in the Mediterranean region;

3. *Urges* all States to co-operate with the Mediterranean States in the further efforts required to reduce tension and promote peace, security and co-operation in the region in accordance with the purposes and principles of the Charter and with 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;

4. *Encourages once again* efforts to intensify existing forms and to promote new forms of co-operation in various fields, particularly those aimed at reducing tension and strengthening confidence and security in the region;

5. *Renews its invitation* to 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. *Invites* the member States of the relevant regional organizations to lend their support and to submit to the Secretary-General concrete ideas and suggestions on their potential contribution to the strengthening of peace and co-operation in the Mediterranean region;

7. *Requests* the Secretary-General to submit to the General Assembly at its forty-first 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 fortieth session, an updated and comprehensive report on the strengthening of security and co-operation in the Mediterranean region;

8. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Strengthening of security and co-operation in the Mediterranean region".

117th plenary meeting
16 December 1985

40/158. 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",

Taking note of the fifteenth anniversary of the adoption of the Declaration on the Strengthening of International Security¹²¹ and the important role it has played in international life in strengthening and consolidating peace and security, as well as promoting co-operation among States on the basis of the purposes and principles of the United Nations,

Noting with concern that the provisions of the Declaration on the Strengthening of International Security have not been fully implemented,

Noting further with concern that the United Nations system of collective security has not been used effectively,

Recalling the duty of States not to intervene in the internal or external affairs of any State, in accordance with the purposes and principles of the Charter of the United Nations,

¹¹⁹ A/39/526-S/16758 and Corr.1, annex.

¹²⁰ A/40/448 and Corr.1.

¹²¹ Resolution 2734 (XXV).

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,⁹⁹

Bearing in mind the provisions of the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States,¹²²

Recalling the Manila Declaration on the Peaceful Settlement of International Disputes,¹²³

Concerned by the continued escalation of tension in the world, accompanied by the policy of competition for spheres of influence, domination and exploitation in more and more parts of the world, the escalation to new levels of the arms race, particularly in nuclear weapons, and the danger of its extension into outer space, 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 interference, aggression and foreign occupation, by the aggravation of existing crises in the world, by the continued infringement of the independence, sovereignty and territorial integrity of countries, by the denial of the right to self-determination of peoples under colonial and foreign occupation and by 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, by the persistence of colonialism, racism and *apartheid* supported by the growing use of military force, by the intensification and expansion of the 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 by 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,

Reaffirming the role of the United Nations as an indispensable forum for negotiations and reaching agreements on measures to promote and strengthen international peace and security,

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 unresolved problems and crises in the world,

Expressing its satisfaction with the resolute support for the purposes and principles of the Charter of the United Nations, which have proved to be of universal validity, and for the ideals of the United Nations, expressed in the context of the commemoration of the fortieth anniversary of the Organization with the participation of a large number of heads of States or Government,

1. *Reaffirms* the validity of the Declaration on the Strengthening of International Security and calls upon all States to contribute effectively to its implementation;

2. *Urges once again* all States to abide strictly, in their international relations, by their commitment to the Charter of the United Nations 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 as well as the permanent sovereignty of peoples over 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;

3. *Calls upon* all States, in particular the nuclear-weapon States and other militarily significant States, to take immediate steps aimed at:

(a) Promoting and using effectively the system of collective security as envisaged in the Charter;

(b) Halting effectively the arms race and achieving general and complete disarmament under effective international control and, to this end, to start serious, meaningful and effective negotiations with a view to implementing the recommendations and decisions contained in the Final Document of the Tenth Special Session of the General Assembly,¹⁰ and to fulfilling the priority tasks listed in the Programme of Action set forth in section III of the Final Document;

4. *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;

5. *Expresses its conviction* that the gradual military disengagement of the great Powers and their military alliances from various parts of the world should be promoted;

6. *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 more effective utilization of 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;

(d) To implement urgently measures agreed upon to ameliorate the critical economic situation in Africa which is the result, *inter alia*, of persistent inclement climatic factors;

7. *Emphasizes* the role that the United Nations has in the maintenance of peace and security and in economic and social development and progress for the benefit of all mankind;

8. *Calls upon* all States, taking into account the views expressed at the commemorative session of the fortieth anniversary of the United Nations, to promote the role of the General Assembly and the Secretary-General in the

¹²² Resolution 36/103, annex.

¹²³ Resolution 37/10, annex.

strengthening of international security, in accordance with the Charter;

9. *Stresses* that there is an urgent need to enhance the effectiveness of the Security Council in discharging its principal role of maintaining international peace and security and, to that end, emphasizes the need to examine mechanisms and working methods on a continued basis in order to enhance the authority and enforcement capacity of the Council, in accordance with the Charter;

10. *Emphasizes* that the Security Council should consider holding periodic meetings in specific cases to consider and review outstanding problems and crises, thus enabling the Council to play a more active role in preventing conflicts;

11. *Reiterates* the need for the Security Council, in particular its permanent members, to ensure the effective implementation of its decisions in compliance with the relevant provisions of the Charter;

12. *Considers* that respect for and 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;

13. *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 Peoples¹⁰⁰ and for the final elimination of colonialism, racism and *apartheid*;

14. *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;

15. *Welcomes* the continuation of the process within the framework of the Conference on Security and Co-operation in Europe and expresses the hope that the Stockholm 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;

16. *Reaffirms* that the democratization of international relations is an imperative necessity enabling, under the conditions of interdependence, the full development and independence of all States as well as the attainment of genuine security, peace and co-operation in the world, and stresses its firm belief that the United Nations offers the best framework for the promotion of these goals;

17. *Invites* Member States to submit their views on the question of the implementation of the Declaration on the Strengthening of International Security, and requests the Secretary-General to submit a report to the General Assembly at its forty-first session on the basis of the replies received;

18. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Review of the imple-

mentation of the Declaration on the Strengthening of International Security".

117th plenary meeting
16 December 1985

40/159. 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 resolutions 37/119 of 16 December 1982, 38/191 of 20 December 1983 and 39/158 of 17 December 1984 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,

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, intervention and interference in the internal affairs of States, 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,⁹⁹

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,

Conscious of the important role with which the Security Council is entrusted in enhancing the collective security provisions of the Charter for the promotion of peace and security in the world 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,¹²⁴ thirty-eighth,¹²⁵ thirty-ninth¹²⁶ and fortieth sessions,¹²⁷

Also taking into account the statement by the President of the Security Council at the commemorative session of the Council on 26 September 1985,¹²⁸

Recalling the Final Political Declaration adopted by the Conference of Foreign Ministers of Non-Aligned Countries, held at Luanda from 4 to 7 September 1985,¹²⁹

Also recalling the views of the Governments of the five Nordic countries on the strengthening of the United Nations,¹³⁰

Taking note of the note by the Secretary-General on the implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security,¹³¹

Having considered the item entitled, "Implementation of the collective security provisions of the Charter of the

¹²⁴ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1).

¹²⁵ *Ibid.*, Thirty-eighth Session, Supplement No. 1 (A/38/1).

¹²⁶ *Ibid.*, Thirty-ninth Session, Supplement No. 1 (A/39/1).

¹²⁷ *Ibid.*, Fortieth Session, Supplement No. 1 (A/40/1).

¹²⁸ See Official Records of the Security Council, Fortieth Year, 2608th meeting; see also Resolutions and Decisions of the Security Council 1985, p. 21.

¹²⁹ A/40/854-S/17610 and Corr.1, annex I.

¹³⁰ A/38/271-S/15830, annex. For the printed text, see Official Records of the Security Council, Thirty-eighth Year, Supplement for April, May and June 1983, document S/15830, annex.

¹³¹ A/40/454.

United Nations for the maintenance of international peace and security”.

1. *Regrets* that the *Ad Hoc* Committee on the Implementation of the Collective Security Provisions of the Charter of the United Nations which the General Assembly, by its resolution 38/191, decided to establish for the purpose of exploring ways and means of implementing the said provisions has not been constituted;

2. *Requests* the President of the General Assembly, as a matter of urgency, to appoint fifty-four Member States and on the basis of consultation already conducted to constitute the membership of the *Ad Hoc* Committee on the basis of equitable geographical representation and including the permanent members of the Security Council;

3. *Requests* the Secretary-General urgently to invite those Member States that have not yet done so to communicate to him not later than 30 April 1986 their views and

comments on the matter and to transmit those views and comments to the *Ad Hoc* Committee as soon as possible;

4. *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 forty-first session, and a final report to the Assembly at its forty-second session;

5. *Decides* to include in the provisional agenda of its forty-first 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”.

*117th plenary meeting
16 December 1985*

IV. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SPECIAL POLITICAL COMMITTEE¹

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40/160. 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 39/94 of 14 December 1984, by which it, *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,²

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,

¹ For the decisions adopted on the reports of the Special Political Committee, see sect. X.B.3.

² A/40/417.

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,

Bearing in mind the decision of the Scientific Committee to submit, as soon as the relevant studies are completed, shorter reports with scientific supporting documents on the specialized topics mentioned by the Committee,³

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 thirty 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 the important problems in the field of radiation and to report thereon to the General Assembly at its forty-first 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, 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.

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40/161. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

A

The General Assembly,

Recalling its resolutions 38/79 A of 15 December 1983 and 39/95 A of 14 December 1984,

Taking note of the report of the International Committee of the Red Cross of 13 December 1983,⁴

Taking note also of the report of the Secretary-General of 30 September 1985,⁵

Taking note further of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,⁶

1. Calls upon Israel to release all Arabs arbitrarily detained and/or imprisoned as a result of their struggle for self-determination and for the liberation of their territories;

2. Notes the initial release of Ziyad Abu Eain, among others, from prison on 20 May 1985;

3. Deplores the Israeli subsequent arbitrary detention of Ziyad Abu Eain and others;

4. Demands that the Government of Israel, the occupying Power, rescind its action against Ziyad Abu Eain and others and release them immediately;

5. Requests the Secretary-General to report to the General Assembly as soon as possible and not later than the beginning of its forty-first session on the implementation of the present resolution.

118th plenary meeting
16 December 1985

B

The General Assembly,

Recalling 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 1949,⁷ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also 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, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983 and 39/95 B of 14 December 1984,

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 the Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

Taking into account that States parties to the 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 the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. Condemns once again the failure of Israel, 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 the Palestin-

³ A/38/142, para. 5.

⁴ See A/38/735.

⁵ A/40/686.

⁶ See A/40/702.

⁷ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

ian and other Arab territories it has occupied since 1967, including Jerusalem;

4. *Urgently calls upon* all States parties to that Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

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16 December 1985

C

The General Assembly,

Recalling Security Council resolution 465 (1980) of 1 March 1980,

Recalling also 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, 37/88 B of 10 December 1982, 38/79 C of 15 December 1983 and 39/65 C of 14 December 1984,

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 Israel, the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁷ 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 obstacle to the efforts to achieve a comprehensive, 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 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 all efforts in order to ensure respect for and compliance with its provisions in all Arab territories occupied by Israel since 1967, including Jerusalem;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

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16 December 1985

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,⁸

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁷ 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, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983 and 39/95 D of 14 December 1984,

Recalling also the relevant resolutions adopted by the Security Council, by the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983,⁹ 1984/1 of 20 February 1984,¹⁰ 1985/1 A and B of 19 February 1985,¹¹ and 1985/2 of 19 February 1985,¹¹ and by 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,⁶ which contains, *inter alia*, self-incriminating public statements made by officials of Israel, the occupying Power,

Taking note of the letter dated 29 July 1985 from the Permanent Representative of Jordan addressed to the Secretary-General,¹² concerning the closing down of the Roman Catholic Medical Facility Hospice at Jerusalem,

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 the 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. *Reaffirms*, in accordance with the Convention, that the Israeli military occupation of the Palestinian and other Arab territories is of a temporary nature, thus giving no

⁸ Resolution 217 A (III).

⁹ See *Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1)*, chap. XXVII, sect. A.

¹⁰ *Ibid.*, 1984, *Supplement No. 4 (E/1984/14 and Corr.1)*, chap. II, sect. A.

¹¹ *Ibid.*, 1985, *Supplement No. 22 (E/1985/22)*, chap. II, sect. A.

¹² A/40/517-S/17371. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for July, August and September 1985*, document S/17371.

right whatsoever to the occupying Power over the territorial integrity of the occupied territories;

8. *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) Illegal imposition and levy of heavy and disproportionate taxes and dues;

(d) Establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and transfer of an alien population thereto;

(e) Eviction, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories and denial of their right to return;

(f) 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;

(g) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

(h) Pillaging of archaeological and cultural property;

(i) Destruction and demolition of Arab houses;

(j) Collective punishment, mass arrests, administrative detention and ill-treatment of the Arab population;

(k) Ill-treatment and torture of persons under detention;

(l) Interference with religious freedoms and practices as well as family rights and customs;

(m) Interference with the system of education and with the social and economic and health development of the population in the occupied Palestinian and other Arab territories;

(n) Interference with the freedom of movement of individuals within the occupied Palestinian and other Arab territories;

(o) Illegal exploitation of the natural wealth, resources and population of the occupied territories;

9. *Condemns also* the Israeli repression against and closing of the educational institutions in the occupied Syrian Golan Heights, particularly the prohibition of Syrian textbooks, Syrian educational system, the deprivation of Syrian students from pursuing their higher education in Syrian universities, the denial of the right to return to Syrian students receiving their higher education in the Syrian Arab Republic, the forcing of Hebrew on Syrian students, the imposition of courses that promote hatred, prejudice and religious intolerance and the dismissal of teachers, all in clear violation of the Geneva Convention;

10. *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;

11. *Reaffirms* that all measures taken by Israel to change the physical character, demographic composition, institutional structure or legal 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;

12. *Demands* that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9 and 10 above;

13. *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, in implementation of Security Council resolution 237 (1967) of 14 June 1967;

14. *Urges* international organizations, including 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;

15. *Reiterates its call* upon all States, in particular those States parties to the Geneva Convention, in accordance with article I of that Convention, and upon international organizations, including 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;

16. *Requests* the Special Committee, pending 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;

17. *Requests* the Special Committee to continue to investigate the treatment of civilians in detention in the Arab territories occupied by Israel since 1967;

18. *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;

19. *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 that are no longer available;

(d) To report to the General Assembly at its forty-first session on the tasks entrusted to him in the present paragraph;

20. *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 the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and to initiate measures to halt Israeli policies and practices in those territories;

21. *Calls upon* Israel, the occupying Power, to allow the reopening of the Roman Catholic Medical Facility Hospice at Jerusalem in order to continue to provide

needed health and medical services to the Arab population in the city;

22. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories".

118th plenary meeting
16 December 1985

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,

Recalling also its resolutions 36/147 D of 16 December 1981, 37/88 D of 10 December 1982, 38/79 E of 15 December 1983 and 39/95 E of 14 December 1984,

Taking note of the report of the Secretary-General of 14 August 1985,¹³

Deeply concerned at the expulsion by the Israeli military occupation authorities of the Mayor of Halhul, the Mayor of Hebron who has since died, the Sharia Judge of Hebron and, in 1985, other Palestinians,

Alarmed by the decision of the Israeli military occupation authorities on 26 October 1985 to expel four Palestinian leaders,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁷ 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. *Strongly condemns* Israel, the occupying Power, for its persistent refusal to comply with the relevant resolutions of the Security Council and the General Assembly;

2. *Demands* that the Government of Israel, the occupying Power, rescind the illegal measures taken by the Israeli military occupation authorities in expelling the Mayor of Halhul, the Sharia Judge of Hebron and, in 1985, other Palestinians and that it facilitate the immediate return of the expelled Palestinians so that they can, *inter alia*, resume the functions for which they were elected and appointed;

3. *Calls upon* Israel, the occupying Power, to rescind its illegal decision taken on 26 October 1985 and refrain from deporting the four Palestinian leaders;

4. *Further calls upon* Israel, the occupying Power, to cease forthwith the expulsion of Palestinians and to abide scrupulously by the provisions of the Geneva Convention

relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

5. *Requests* the Secretary-General to report to the General Assembly as soon as possible and not later than the beginning of its forty-first session on the implementation of the present resolution.

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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,

Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983 and 39/95 F of 14 December 1984,

Having considered the report of the Secretary-General of 18 September 1985,¹⁴

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 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 1949,⁷

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 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 iden-

¹³ A/40/541.

¹⁴ A/40/649 and Add.1.

tity 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 forty-first session a report on the implementation of the present resolution.

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G

The General Assembly,

Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁷

Deeply concerned at the continued harassment by Israel, the occupying Power, against educational institutions in the occupied Palestinian territories,

Recalling its resolutions 38/79 G of 15 December 1983 and 39/95 G of 14 December 1984,

Taking note of the report of the Secretary-General of 14 August 1985,¹⁵

Taking note of the relevant decisions adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization concerning the educational and cultural situation in the occupied 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 and other educational and vocational institutions 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 report to the General Assembly as soon as possible and not later than the

beginning of its forty-first session on the implementation of the present resolution.

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40/162. International co-operation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 39/96 of 14 December 1984,

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, including the relevant norms of space law, for the advancement and preservation of the exploration and peaceful uses of outer space,

Gravely concerned at the extension of an arms race into outer space,

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international co-operation in the exploration and uses of outer space for peaceful purposes,

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 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 also of the report of the Secretary-General¹⁶ on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space.¹⁷

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its twenty-eighth session,¹⁸

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 uses of outer space¹⁹ 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-fourth session, in its working groups, continued:

(a) 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;

¹⁹ 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).

¹⁵ A/40/542.

¹⁶ A/40/621 and Corr.1.

¹⁷ 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).

¹⁸ Official Records of the General Assembly, Fortieth Session, Supplement No. 20 (A/40/20 and Corr.1).

(b) Its consideration of the possibility of supplementing the norms of international law relevant to the use of nuclear power sources in outer space;

(c) Its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit, without prejudice to the role of the International Telecommunication Union;

4. *Endorses* the recommendations of the Committee on the Peaceful Uses of Outer Space that the Legal Sub-Committee at its twenty-fifth session should, taking into account the concerns of all countries, particularly those of developing countries, in its working groups:

(a) Continue its detailed consideration of the legal implications of remote sensing of the Earth from space, with the aim of finalizing the draft set of principles;

(b) Undertake the elaboration of draft principles relevant to the use of nuclear power sources in outer space;

(c) Continue its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit, without prejudice to the role of the International Telecommunication Union;

5. *Notes* that the Scientific and Technical Sub-Committee on the Peaceful Uses of Outer Space at its twenty-second session continued:

(a) Its consideration of 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;

In this context, it was noted that it was particularly urgent to implement the following recommendations:

a. All countries should have the opportunity to use the techniques resulting from medical studies in space;

b. Data banks at the national and regional levels should be strengthened and expanded and an international space information service should be established to function as a centre of co-ordination;

c. The United Nations should support the creation of adequate training centres at the regional level, linked, whenever possible, to institutions implementing space programmes; necessary funding for the development of such centres should be made available through financial institutions;

(iii) Questions relating to remote sensing of the Earth by satellites;

(iv) Use of nuclear power sources in outer space;

(b) Its consideration of 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;

6. *Endorses* the recommendations of the Committee on the Peaceful Uses of Outer Space that the Scientific and

Technical Sub-Committee at its twenty-third session, taking into account the concerns of all countries, particularly those of developing countries, 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;

In this context, it is particularly urgent to implement the following recommendations:

a. All countries should have the opportunity to use the techniques resulting from medical studies in space;

b. Data banks at the national and regional levels should be strengthened and expanded and an international space information service should be established to function as a centre of co-ordination;

c. The United Nations should support the creation of adequate training centres at the regional level, linked, whenever possible, to institutions implementing space programmes; necessary funding for the development of such centres should be made available through financial institutions;

d. The United Nations should organize a fellowship programme through which selected graduates or post-graduates from developing countries should get in-depth, long-term exposure to space technology or applications; it is also desirable to encourage the availability of opportunities for such exposures on other bilateral and multilateral bases outside the United Nations system;

(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;

7. *Endorses also* the recommendations of the Committee on the Peaceful Uses of Outer Space:

(a) That there should be a continued consideration in the Scientific and Technical Sub-Committee of the item relating to life sciences, including space medicine;

(b) That, for the twenty-third session of the Scientific and Technical Sub-Committee, the Committee on Space Research and the International Astronautical Federation should be invited to submit reports and arrange a special presentation on progress in the geosphere-biosphere programme;

(c) That the Scientific and Technical Sub-Committee should, at its twenty-third session, give special attention to the theme "Remote sensing for developing countries" selected in accordance with the procedure recommended by the Sub-Committee at its twenty-second session and that the Committee on Space Research and the International Astronautical Federation should be invited to make presentations in accordance with this theme;

8. *Endorses* the United Nations Programme on Space Applications for 1986, as proposed to the Committee on

the Peaceful Uses of Outer Space by the Expert on Space Applications;²⁰

9. *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;

10. *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;

11. *Expresses its appreciation* to all Governments that made or expressed their intention to make contributions towards carrying out the recommendations of the Conference;

12. *Invites* all Governments to take effective action for the implementation of the recommendations of the Conference;

13. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international co-operation in the exploration and uses of outer space for peaceful purposes;

14. *Takes note* of the views expressed and documents circulated during the twenty-eighth session of the Committee on the Peaceful Uses of Outer Space and during the fortieth session of the General Assembly concerning ways and means of maintaining outer space for peaceful purposes;

15. *Requests* the Committee on the Peaceful Uses of Outer Space to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its forty-first session;

16. *Endorses* the recommendation of the Committee on the Peaceful Uses of Outer Space that the following three studies proposed by the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space should, together with the comments made thereon during the twenty-second session of the Scientific and Technical Sub-Committee, be called to the attention of Governments of all Member States, specialized agencies and other organizations of the United Nations system:

(a) Assistance to countries in studying their remote-sensing needs and assessing appropriate systems for meeting such needs;

(b) The feasibility of using direct broadcasting satellites for educational purposes and of internationally or regionally owned space segments;

(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;

17. *Also endorses* the recommendation of the Committee on the Peaceful Uses of Outer Space with regard to possible further studies as set out in paragraph 48 of the report of the Committee,¹⁸ bearing in mind in particular the needs of the developing countries;

18. *Endorses* the decision of the Committee on the Peaceful Uses of Outer Space to grant, at their request, permanent observer status to the International Telecommunications Satellite Organization (INTELSAT) and to

the International System and Organization of Space Communications (INTERSPUTNIK);

19. *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;

20. *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;

21. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the recommendations of the Conference;

22. *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;

23. *Requests* the Committee on the Peaceful Uses of Outer Space to continue its work, in accordance with the present resolution, to consider, as appropriate, new projects in outer space activities and to submit a report to the General Assembly at its forty-first session, including its views on which subjects should be studied in the future.

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16 December 1985*

40/163. Comprehensive review of the whole question of peace-keeping operations in all their aspects

The General Assembly,

Recalling its resolutions 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, 37/93 of 10 December 1982, 38/81 of 15 December 1983 and 39/97 of 14 December 1984,

Awaiting the issuance of the report of the Special Committee on Peace-keeping Operations to the General Assembly at its forty-first session,

1. *Reaffirms and renews* the mandate given to the Special Committee on Peace-keeping Operations by the relevant resolutions of the General Assembly;

2. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects".

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²⁰ See A/AC.105/348, para. 39.

40/164. Questions relating to information

A

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, 37/94 B of 10 December 1982, 38/82 B of 15 December 1983 and 39/98 A of 14 December 1984, on questions relating to information,

Recalling article 19 of the Universal Declaration of Human Rights,⁸ 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,²¹

Recalling the relevant provisions of the Declarations of the Sixth and Seventh Conferences of Heads of State or Government of Non-Aligned Countries held at Havana from 3 to 9 September 1979²² and at New Delhi from 7 to 12 March 1983²³ as well as the Final Documents of the Conference of the Ministers of Information of Non-Aligned Countries, held at Jakarta from 26 to 30 January 1984,²⁴ and the relevant provisions of the Final Political Declaration adopted by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Luanda from 4 to 7 September 1985,²⁵ in which the importance of the establishment of a new world information and communication order was stressed anew,

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,²⁶ adopted on 28 November 1978 by the General Conference of the United Nations Educational, Scientific and Cultural Organization, as well as the resolutions on information and mass communications adopted by the General Conference at its nineteenth, twentieth, twenty-first, twenty-second and twenty-third 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 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 also the relevant provisions of the Declaration on the Preparation of Societies for Life in Peace,²⁷

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 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,

Noting the ongoing efforts of the United Nations Educational, Scientific and Cultural Organization to contribute to the clarification, elaboration and application of the concept of a new world information and communication order and recalling resolutions 4/19 of 27 October 1980,²⁸ 3.1 of 25 November 1983²⁹ and 3.1 of 8 November 1985³⁰ adopted by consensus by its General Conference,

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, and that public information plays the important role in promoting understanding of and support for 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,

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, and that the United Nations system as a whole and all others concerned should give that organization adequate support and assistance in the field of information and communication,

Recognizing the importance of the co-ordination and co-operation between the Department of Public Information of the Secretariat, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization and its International Programme for the Development of Communication in the promotion of the establishment of a new world information and communication order,

Fully aware and cognizant of the important contribution which the mass media world-wide can make in enhancing and strengthening peace, deepening international understanding, promoting justice, equality, national independence, development, the exercise of human rights and the establishment of a new world information and communication order,

²¹ See resolution 2200 A (XXI), annex.

²² See A/34/542, annex, sect. I, paras. 280-299.

²³ See A/38/132-S/15675 and Corr.1 and 2, annex, sect. I, para. 173.

²⁴ A/39/139-S/16430, annex.

²⁵ See A/40/854-S/17610 and Corr.1, annex I, sect. XXXIV.

²⁶ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twentieth Session*, vol. 1, *Resolutions*, pp. 100-104.

²⁷ Resolution 33/73.

²⁸ See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-first Session*, vol. 1, *Resolutions*, sect. III.

²⁹ *Ibid.*, *Twenty-second Session*, vol. 1, *Resolutions*, sect. II.

³⁰ *Ibid.*, *Twenty-third Session*, vol. 1, *Resolutions*, sect. III.

Noting with satisfaction that, during the observance of the fortieth anniversary of the United Nations, the lasting values of the purposes and principles of the Charter of the United Nations were reconfirmed as a reflection of the high hopes which peoples of the world continue to repose in the United Nations as the most appropriate framework for multilateral co-operation and the pursuit of shared objectives,

Recalling with satisfaction the resolution adopted by the General Assembly, acting as United Nations World Conference for the International Youth Year,³¹

Emphasizing its full support for the International Programme for the Development of Communication, which constitutes an important contribution in the development of the infrastructures of communication in the developing countries,

Conscious that the transfer of technology in the field of information and communication to developing countries is vital for the acceleration of efforts towards the establishment of a new world information and communication order based on justice, freedom and equity,

Expressing its satisfaction with the successful co-ordination and co-operation displayed by the Department of Public Information with the Pool of Non-Aligned News Agencies, as well as with news agencies of other developing and developed countries, and convinced that such efforts have contributed significantly to progress towards a new world information and communication order,

Taking note of the implementation by the Department of Public Information of those parts relevant to public information of the Paris Declaration on Namibia and the Programme of Action on Namibia,³² as well as those of the Declaration and the Programme of Action contained in the Final Document adopted by the United Nations Council for Namibia at its extraordinary plenary meetings, held at Vienna from 3 to 7 June 1985,³³ in order 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 more systematic and better co-ordinated information,

Taking note also of the implementation by the Department of Public Information of those parts of the Programme of Action for the Achievement of Palestinian Rights³⁴ relevant to information, in accordance with General Assembly resolution 39/49 C of 11 December 1984,

Expressing its satisfaction with the work of the Committee on Information as reflected in its report,³⁵

Taking note with satisfaction of the report of the Secretary-General on questions relating to information,³⁶

Taking note with satisfaction of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization,³⁷

1. Approves the report of the Committee on Information and the recommendations contained in paragraph 139 of that report and annexed to the present resolution, as adopted, and affirms the requests and appeals reproduced therein as well as the provisions of General Assembly resolution 39/98 A 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, and to continue to promote the establishment of a new, more just and effective world information and communication order, 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 Telecommunication 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, its Constitution and the ideals reflected therein, its activities and for its efforts to further enhance its capabilities with a view to promoting 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, the promotion of disarmament and the progressive elimination of international inequities and tensions; and the promotion of human rights and fundamental freedoms and the right of peoples to self-determination; 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. Calls upon the Department of Public Information to continue to give, as a matter of high priority, its full support in promoting and publicizing the noble goals and accomplishments of the United Nations, as the most appropriate forum for multilateral co-operation and for pooling efforts of States to contribute to the quest for a climate of mutual trust, political dialogue and negotiated solutions to the outstanding problems;

7. Urges the Department of Public Information to give the widest possible dissemination of information pertaining to the acute world economic problems, particularly to the critical economic situation in Africa, the severe economic difficulties of the least developed countries and the external debt of developing countries, as well as to the adverse effect of the international economic environment on these countries, taking into account the views expressed during the fortieth session on these issues;

8. Urges the Department of Public Information to strengthen its co-operation with the Pool of Non-Aligned News Agencies and, in particular, to ensure that its daily dispatches are received by the United Nations Office at Geneva and the United Nations Headquarters in New York;

9. Urges the Department of Public Information to take all necessary measures to ensure the dissemination of appropriate information on the guidelines for further planning and suitable follow-up in the field of youth;

³¹ Resolution 40/14.

³² 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), part three.

³³ See Official Records of the General Assembly, Fortieth Session, Supplement No. 24 (A/40/24), para. 513.

³⁴ 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, sect. B.

³⁵ Official Records of the General Assembly, Fortieth Session, Supplement No. 21 (A/40/21).

³⁶ A/40/617.

³⁷ A/40/667, annex.

10. *Urges* the Department of Public Information to adequately disseminate in its programmes and information activities the positive results of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace,³⁸ aimed at the elimination of discrimination and the promotion of the role of women world-wide;

11. *Requests* the Department of Public Information to continue its follow-up programmes in further implementation of those parts relevant to public information of the Paris Declaration on Namibia and the Programme of Action on Namibia,³² as well as of the Declaration and Programme of Action contained in the Final Document adopted by the United Nations Council for Namibia,³³ and to report thereon to the Committee on Information at its substantive session in 1986;

12. *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 1949,⁷ 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, and to report thereon to the Committee on Information at its substantive session in 1986;

13. *Urges* the Department of Public Information and the mass media world-wide, pursuant to General Assembly resolutions 34/182 and 35/201, to intensify their activities of dissemination of information with regard to the policies and practices of *apartheid*, taking due account of recent measures and official censorship imposed upon the local and international media related to all aspects of this issue;

14. *Reiterates* the recommendation contained in its resolution 35/201 that additional resources for the Department of Public Information should be commensurate, as appropriate, with the increase in the activities of the United Nations which the Department covers for the purpose of public information, and that the Secretary-General should provide such resources to the Department to this end where needed;

15. *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;

16. *Reaffirms* the importance of the rapidly increasing role of the United Nations public information programmes in fostering public understanding and support of United Nations activities and requests the Department of Public Information to consider the recommendations contained in the report of the Joint Inspection Unit on publications policy and practice in the United Nations system³⁹ and to report to the Committee on Information at its substantive session in 1986;

17. *Requests* the Secretary-General to report to the Committee on Information, at its substantive session in 1986, on the implementation of all the recommendations contained in the Committee's report and annexed to the present resolution;

18. *Also requests* the Secretary-General to report to the General Assembly at its forty-first session on the imple-

mentation of the present resolution and, in particular, on the implementation of all the recommendations contained in the annex to the present resolution;

19. *Takes note* of the report of the Secretary-General on the restructuring of the Radio and Visual Services Division of the Department of Public Information,⁴⁰ and requests that additional information be submitted to the Committee on Information at its substantive session in 1986;

20. *Requests* the Committee on Information to report to the General Assembly at its forty-first session;

21. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Questions relating to information".

118th plenary meeting
16 December 1985

ANNEX

Recommendations of the Committee on Information

1. The recommendations of the Committee on Information approved by the General Assembly in resolution 39/98 A of 14 December 1984, as well as all the provisions of the resolution, should be reiterated, taking into account the views expressed by delegations at the 100th plenary meeting of the thirty-ninth session of the Assembly on 14 December 1984. Those recommendations should be implemented in full, and the Secretary-General should be requested to report to the Committee on Information at its substantive session in 1986 on measures taken for the implementation of those recommendations and provisions pending implementation.

2. The mandate of the Committee on Information, 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 B of 16 December 1981, 37/94 B of 10 December 1982, 38/82 B of 15 December 1983 and 39/98 A of 14 December 1984, should be renewed.

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 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. The ongoing efforts of the United Nations Educational, Scientific and Cultural Organization to contribute to the clarification, elaboration and application of the concept of a new world information and communication order should be noted. In this regard, resolutions 4/19 of 27 October 1980²⁸ and 3.1 of 25 November 1983,²⁹ which the General Conference of the United Nations Educational, Scientific and Cultural Organization adopted by consensus, should be recalled.

5. Under the current international climate of political conflicts and economic disorders, the Committee on Information, fully aware and cognizant of the important contribution which the mass media world-wide can make in enhancing and strengthening peace, deepening international understanding, promoting justice, equality, national independence, development, the exercise of human rights and the establishment of a new world information and communication order, recommends that the General Assembly address appeals to the following:

(a) The international media, in order to obtain their support for the efforts of the international community towards global development and, in

³⁸ See Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10).

³⁹ A/39/239.

⁴⁰ A/40/841.

particular, for the efforts of the developing countries to achieve economic, social and cultural progress;

(b) The United Nations system as a whole to co-operate in a concerted manner, through its information services, in promoting the development activities of the United Nations and, in particular, the improvement of the conditions of the lives of the peoples of the developing countries.

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 endeavours, in accordance with the purposes of the Charter of the United Nations.

6. Article 19 of the Universal Declaration of Human Rights,⁸ 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, should be recalled.

7. Aware of the existence of structural imbalance in the international distribution of news affecting the two-way flow of news, the Committee on Information recommends that urgent attention should be given to the elimination of existing inequalities in and all other obstacles to the free flow and wider and better balanced dissemination of information, ideas and knowledge by, *inter alia*, diversifying the sources of information as a step towards free and more balanced information and the promotion of the establishment of a new world information and communication order.

8. The Committee on Information recommends that the need be stressed to ensure and promote the access of the developing countries to communication technology, including communication satellites, modern electronic information systems, informatics and other advanced information and communication facilities with a view to improving their own information and communication systems corresponding to the specific conditions prevailing in each country.

9. The Committee on Information, while expressing satisfaction with the successful co-ordination and co-operation displayed by the Department of Public Information of the Secretariat with the Pool of Non-Aligned News Agencies, as well as with regional news agencies of developing countries, recommends that the Department of Public Information continue to strengthen this co-operation as it 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.

10. The Department of Public Information should be urged to monitor, as appropriate, important meetings of the Movement of Non-Aligned Countries, as well as of regional intergovernmental organizations devoted to information and communication questions, in particular the fourth Conference of the Pool of Non-Aligned News Agencies to be held at Havana in 1986.

11. With regard to its co-operation with the Pool of Non-Aligned News Agencies as well as with the regional news agencies in developing countries, the Department of Public Information should co-operate, as appropriate, with the United Nations Educational, Scientific and Cultural Organization in assisting that organization, within existing resources, in the following activities:

(a) Preparation and implementation of a plan of integrated communication network and regional data and communication centres;

(b) Provision of facilities for meetings on data and communication exchange of the public information bodies of the non-aligned countries.

12. The United Nations system as a whole, as well as the developed countries, should be urged to co-operate in a concerted manner with the developing countries towards strengthening the information and communication infrastructures of the latter countries, in accordance with the priorities attached to such areas by the developing countries, with a view to enabling them to develop their own information and communication policies freely and independently and in the light of their history, social values and cultural traditions. In this regard, full support for the International Programme for the Development of Communication, which constitutes an important step in the development of these infrastructures, should always be emphasized.

13. The United Nations system should constantly promote the creation of a climate of confidence in relations among States, as a means of easing tension and facilitating the establishment of a new world information and communication order.

14. Reaffirming the primary role that 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 Committee on Information recommends that the United Nations system as a whole and all others concerned should be urged to give that organization adequate support and assistance in the field of information and communication. The Department of Public Information, in particular, should co-operate more regularly with the United Nations Educational, Scientific and Cultural Organization, especially at the working level, with a view to maximizing the contributions of the Department to the efforts of that organization in promoting the establishment of a new world information and communication order and to disseminating as widely as possible information on the activities of that organization in this respect.

15. The consolidated study contained in the report of the Secretary-General⁴¹ on the contributions, effects and levels of co-ordination between the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, its International Programme for the Development of Communication and the International Telecommunication Union in support of the development of information and communication infrastructures in the developing countries should be noted.

16. Recalling its recommendation, as endorsed by the General Assembly in its resolution 39/98 A, the Committee on Information recommends that the Secretary-General should be requested to expedite the convening, jointly with the United Nations Educational, Scientific and Cultural Organization, of a Round Table on a New World Information and Communication Order.

17. The United Nations system, particularly the United Nations Educational, Scientific and Cultural Organization, should aim at providing all possible support and assistance to the developing countries, within existing resources, 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) Granting of favourable conditions to provide access to developing countries to such communication technology as is requisite for the establishment of a national information and communication system and corresponding to the specific situation of the country concerned;

(c) 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 conditions of any kind.

18. 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 of 27 October 1980,²⁸ adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization and 3.1 of 25 November 1983²⁹ adopted by the General Conference on Major Programme III.

19. 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, are 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, so as 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.

20. 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

⁴¹ A/AC.198/96.

Europe, held at Madrid from 11 November 1980 to 9 September 1983, should be recalled.

21. The Final Documents of the Conference of Ministers of Information of Non-Aligned Countries, held at Jakarta from 26 to 30 January 1984,²⁴ should be recalled.

22. The Department of Public Information should be requested to continue its co-operation with the Movement of Non-Aligned Countries as well as with intergovernmental organizations and regional organizations with a view to promoting a new world information and communication order.

23. The Conference of Ministers of Information of States members of the Organization of African Unity, held at Addis Ababa in March 1985, which expressed its conviction of the importance of a new world information and communication order, should be noted.

24. In the light of the grave economic situation prevailing in Africa, the Secretary-General should be requested to ensure that the Department of Public Information does its utmost in bringing to the attention of the international community the real dimensions of the plight of the African people and the tremendous efforts of the African countries, with a view to increasing its contribution towards alleviating this human tragedy.

25. The relevant resolution on the question relating to information of the Fourth Islamic Summit Conference, held at Casablanca from 16 to 19 January 1984,⁴² should be recalled.

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

26. In connection with the celebration of the fortieth anniversary of the United Nations, the Department of Public Information should be urged to give appropriate support to the Preparatory Committee for the Fortieth Anniversary of the United Nations in promoting and publicizing the noble goals and accomplishments of the United Nations as a major forum for pooling efforts of States to contribute to the solution of vital world problems.

27. The Committee on Information again stresses that the Department of Public Information should maintain editorial independence and accuracy in all material produced by the Department and should promote, to the greatest extent possible, an informed understanding of the work and purposes of the United Nations among the peoples of the world. The Department should ensure that its output contains objective and equitable information about issues before the Organization, reflecting divergent opinions where they occur.

28. The Department of Public Information should continue to ensure that the daily dispatches of the Pool of Non-Aligned News Agencies that 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 and the Department 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.

29. In connection with its annual training programme for journalists and broadcasters from developing countries, the Department of Public Information should continue to allocate the last week of the programme for a visit by them to one of the developing countries that expresses readiness to receive them for the purpose of acquainting themselves with the ways in which information on the United Nations is received and utilized.

30. The Secretary-General should be requested once again to make available to the Committee on Information, as soon as possible, a comprehensive report on the outcome of the activities of the International Telecommunication Union with regard to the World Communications Year.

31. The exchange of information between the Committee on Information and the Commission on Transnational Corporations on matters pertaining to the mandate of the Committee should again be encouraged.

32. The assessment contained in the report of the Secretary-General relating to the acquisition by the United Nations of its own communications satellite⁴³ in conformity with recommendation 36 made by the Committee on Information to the General Assembly at its thirty-seventh session⁴⁴ should be noted, and it would be appropriate to re-examine the question of the acquisition of such a satellite should circumstances permit.

33. The attention of the pertinent organs of the General Assembly and of the United Nations system as a whole should be drawn to the findings of the International Telecommunication Union set forth in its report,⁴⁵ especially as concerns the problem of the geostationary orbit reflected, *inter alia*, in paragraphs 33 and 49 of that report, taking into account the needs of the developing countries.

34. The Committee on Information recommends the rejection of the use of the mass media, especially radio broadcasting, to disseminate false or distorted reports as an instrument of hostile propaganda against the sovereignty of other States. In this regard, it stresses that the media should contribute to the fostering of peace, mutual respect, non-interference and self-determination.

35. With regard to the improvement of communication infrastructures, the Committee on Information draws attention to the success attained by the ARABSAT, BRASILSAT, INSAT-1B, MORELOS and PALAPA satellite systems, designed to promote national and regional integration. In this connection, it endorses the execution of satellite projects such as CONCORD by the Andean group of countries. The United Nations and the specialized agencies, in particular those in the financial sector, should support such activities and initiatives.

36. The Department of Public Information should co-operate closely with the United Nations Educational, Scientific and Cultural Organization and the Pool of Non-Aligned News Agencies to organize a workshop, within existing resources, in 1985 for the familiarization of news agencies of developing countries with modern technology of relevance to news agencies and for the standardization of teaching methods and syllabuses and to produce training manuals in various languages for the training centres of the Pool, and should report to the Committee on Information at its substantive session in 1986 on progress made to this effect.

37. In order to enhance awareness and understanding of the lofty objectives of the United Nations, the Department of Public Information should endeavour to promote teaching in the educational institutions of Member States about the structure, principles and aims of the Organization in conformity with the relevant resolutions of the General Assembly and the Economic and Social Council. In order to implement this recommendation, the Department should continue to organize, on a yearly basis, a fellowship programme for educators.

38. The Department of Public Information should be requested, in accordance with the relevant United Nations resolutions, to continue to cover adequately the Israeli policies and practices which violate and affect the human rights of the populations in Arab territories occupied since June 1967, including Jerusalem and the Golan Heights, especially those policies and practices which impede the attainment and exercise of the inalienable national rights of the Palestinian people, and to report thereon to the Committee on Information at its substantive session in 1986.

39. The Secretary-General should be requested once again 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 to enable it to function in an effective manner and to report to the Committee on Information at its substantive session in 1986 on the measures taken in implementation of this recommendation.

40. In view of the importance of United Nations broadcasting for the European region, further steps should be taken to maintain and enhance the functions of the European Unit in the Radio Service, within existing resources.

41. Taking into account the needs of numerous radio producers and journalists who use French as a working language, and the role of the "blue notes" in the preparation of radio programmes of the United Nations, the Committee on Information requests the Secretary-General to instruct the Radio and Visual Services Division of the Department of Public Information to produce a daily edition, in French, of the messages concerning the activities of the United Nations.

⁴² A/39/131-S/16414 and Corr.1, annex II, resolution 15/4-P(1S).

⁴³ A/AC.198/95.

⁴⁴ See *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 21 (A/37/21 and Corr.1), sect. IV.*

⁴⁵ See A/AC.198/73.

42. The Department of Public Information should be requested anew to use the official languages of the General Assembly adequately in its documents and audio-visual documentation and to arrange accordingly for an appropriate number of staff in order better to inform the public about the activities of the United Nations. It should also make available to the French Language Production Section of the Press and Publications Division of the Department, within existing resources, the means that will allow it consistently to distribute press releases in sufficient quantity to satisfy the needs of the numerous journalists and delegations that use French as a working language.

43. United Nations information centres should continue to assist press and information media in their respective countries in accordance with the mandate given by the General Assembly and, *inter alia*, promote the establishment of a new world information and communication order.

44. While the 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 the United Nations information centres as distinct from those of the United Nations development activities. The information centres should redouble their efforts to publicize the activities and achievements of operational activities for development, including those of the United Nations Development Programme, taking into account the priorities determined by the General Assembly.

45. The report of the Secretary-General concerning measures to improve the effectiveness of United Nations information centres⁴⁶ should be further noted and the Secretary-General should be encouraged to implement the proposals made by him therein, within existing resources.

46. The United Nations information centres should intensify direct and systematic communication exchange with local information and educational communities in a mutually beneficial way, in accordance with the priorities of the General Assembly and taking into account the areas of particular interest to host countries.

47. In accordance with General Assembly resolution 39/98 A, by which the Assembly acceded to the request of the Government of Benin for the opening of a United Nations information centre at Cotonou, the Secretary-General should be requested to continue negotiations with the authorities in Benin for the rapid opening of the centre, within existing resources, and to report thereon to the Committee on Information at its substantive session in 1986.

48. Taking into account the request of the Government of Poland for the opening of a United Nations information centre at Warsaw, the Secretary-General should be requested to continue to take appropriate steps for the establishment of the centre, within existing resources, and to report thereon to the Committee on Information at its substantive session in 1986.

49. The Department of Public Information should disseminate information concerning the decisions of the United Nations dealing with acts of terrorism in all its forms. In this regard, all the relevant United Nations resolutions and the statement made by the Secretary-General at San Francisco on 26 June 1985 should be recalled.

50. The Department of Public Information should focus on and give wider coverage to the economic, social and development activities of the United Nations system aimed at achieving a more comprehensive image of the activities and potential of the system, taking into account the priorities set by the General Assembly, particularly in the light of the fortieth anniversary of the United Nations.

51. Note should be taken of the assessment contained in the report of the Secretary-General of the experimental daily short-wave radio broadcasts from Headquarters,⁴⁷ pending the submission to the Committee on Information of the final report on the results of the experiment.

52. The Secretary-General should continue his efforts to develop a system for monitoring and evaluating the effectiveness of the activities of the Department of Public Information, particularly in the priority areas determined by the General Assembly.

53. Future reports of the Department of Public Information to the Committee on Information, 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 analysis of feedback 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 that the Secretary-General has attached to current or future activities of the Department in documents dealing with such activities.

54. The Department of Public Information should improve, within existing resources, its data-collection procedures with regard to the actual use made by redissemulators of materials distributed by the Department and its information centres and submit a report to the Committee on Information at its substantive session in 1986 on progress made in this area.

55. The steps taken by the Department of Public Information in redressing the imbalance in its staff should be noted. The Department should continue to intensify its efforts to that end and the Secretary-General should be requested to take urgent steps to increase the representation of underrepresented developing countries and of other underrepresented groups of countries, especially at the senior levels, in conformity with the relevant provisions of the Charter of the United Nations, and to submit a report to the Committee on Information at its substantive session in 1986.

56. Member States should be called upon once again to make voluntary contributions to the United Nations Trust Fund for Economic and Social Information.

57. The assessment contained in the report of the Secretary-General⁴⁸ on the present system of charging Member States and the media for video tapes, audio tapes and news photographs of important United Nations events should be noted, and the Department of Public Information should report to the Committee on Information at its substantive session in 1986 on that subject with a view to reducing appropriately the final cost of these materials and spreading overtime charges legitimately incurred in an equitable way so as to enable the media in the Member States, particularly in the developing countries, to give wider publicity to the aims and activities of the United Nations.

58. The interim report of the Secretary-General entitled "The Department of Public Information as the Focal Point for the Formulation and Implementation of Information Activities of the United Nations"⁴⁹ should be noted and the Secretary-General should be requested to submit his final report in the light of the ongoing consultations within the Secretariat on the role of the Department with respect to all information activities of the United Nations. The Committee on Information once again recommends that the proliferation of information units in the Secretariat independent of the Department should be discouraged.

59. The Committee on Information takes note of the report on the review of the distribution of taped radio programmes produced by the Department of Public Information in New York⁵⁰ and requests the Department to take steps to improve their distribution and to report to the Committee at its substantive session in 1986 on the implementation of the recommendations contained in that report.

60. The operations of the Non-Governmental Liaison Services (Geneva and New York) as voluntarily funded 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. As with *Development Forum*, it is essential that United Nations financial participation, from the regular budget, should be ensured in the next biennium. Furthermore, the Secretary-General should be requested to urge all specialized agencies to make long-term contributions to the financing of these services, thereby stressing their inter-agency character.

61. 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 further strengthened and given more responsibility for the public information activities of the entire United Nations system.

62. The quality, usefulness and coverage of the daily press release 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 that they can perform. Services provided at the Press Section of the Department both for the media and the delegations should be improved. The Department should continue to co-operate closely with and provide assistance to the United Nations Correspondents Association.

⁴⁶ A/AC.198/75.

⁴⁷ A/AC.198/88.

⁴⁸ A/AC.198/87.

⁴⁹ A/AC.198/82.

⁵⁰ A/AC.198/99.

63. The Department of Public Information should improve, within existing resources, the timely distribution of its materials to subscribers and United Nations information centres, particularly the *UN Chronicle*, in all languages, a major source of information on the United Nations to its recipients.

64. The report on the programme and activities of the Joint United Nations Information Committee should be noted, particularly in regard to *Development Forum* as the only inter-agency publication of the United Nations system that concentrates on development issues, and the Secretary-General should, while continuing his efforts to secure a sound and independent basis for the periodical, make such arrangements as necessary, through the regular budget, to ensure its continued publication. The resources of the United Nations system should be pooled in support of *Development Forum* and *Development Business* and any attempt in the United Nations system to duplicate the functions performed by these publications should be avoided. All specialized agencies and other organizations of the United Nations system should be urged to contribute to the financing of these system-wide publications, thereby recognizing their inter-agency character.

65. The Secretary-General should continue to ensure that *Development Forum* retains 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.

66. The Secretary-General should be encouraged to continue and intensify his efforts to explore all possibilities of securing the adequate resources for the continuation of the *World Newspaper Supplement* project.

67. 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 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 its maximum effectiveness.

68. The Department of Public Information should be requested to implement fully, within existing resources, the provisions of General Assembly resolution 38/82 B relating to the work programme of the Caribbean Unit and the Secretary-General should be requested to report to the Committee on Information at its substantive session in 1986 on the measures taken in implementation of this recommendation.

69. The conclusions and recommendations adopted by 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 extraordinary session, held at Tunis from 13 to 17 May 1985 to celebrate the twenty-fifth anniversary of the Declaration,⁵¹ should be noted. In this regard, the Secretary-General should be requested to intensify his efforts, within existing resources, in order to alert world public opinion against the illegal occupation of Namibia and the policies of *apartheid* of the régime of South Africa and to continue to disseminate as widely as possible information relating to the struggle of the oppressed peoples of South Africa and Namibia.

70. In view of the concerns expressed by several delegations regarding the possible implications on productivity and effectiveness of the proposed restructuring of the Radio and Visual Services Division and taking into account the necessity of strengthening the Professional staff, the Committee on Information recommends that the Secretary-General be requested to submit a written report on the subject to the General Assembly at its fortieth session. Pending submission of the report and a decision thereon, action on the proposed restructuring should be postponed.

B

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, 37/94 A and B of 10 December 1982, 38/82 A of 15 December 1983 and 39/98 A and B of 14 December 1984,

Taking note of the ongoing efforts of the United Nations Educational, Scientific and Cultural Organization to contribute to the clarification, elaboration and application of

the concept of a new world information and communication order,

Recalling the relevant provisions of the Declarations of the Sixth and Seventh Conferences of Heads of State or Government of Non-Aligned Countries held at Havana from 3 to 9 September 1979²² and at New Delhi from 7 to 12 March 1983²³ as well as the Final Documents of the Conference of the Ministers of Information of Non-Aligned Countries held at Jakarta from 26 to 30 January 1984,²⁴ and the relevant provisions of the Final Political Declaration of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Luanda from 4 to 7 September 1985,²⁵ in which the importance of the establishment of a new world information and communication order was stressed anew,

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 1981,⁵² the Conference of Ministers of Information of States members of the Organization of African Unity at its third ordinary session, held at Addis Ababa in March 1985 and at its first extraordinary session, held at Cairo in November 1985, especially those encouraging regional co-operation in the field of information and promoting the establishment of a new world information and communication order,

Recalling article 19 of the Universal Declaration of Human Rights,⁸ 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 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 resolution 4/21 of 27 October 1980,²⁸ adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-first session, and resolution 2/03 of 3 December 1982,⁵³ adopted by the General Conference at its fourth extraordinary session,

Recalling also resolutions 4/19 of 27 October 1980,²⁸ 3.1 of 25 November 1983²⁹ and 3.1 of 8 November 1985³⁰ adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization, and, in this context, expressing anew the wish that that organization should contribute to the clarification, elaboration and application of the concept of a new world information and communication order,

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,²⁶ adopted on 28 November 1978 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Recalling also the relevant provisions of the Declaration on the Preparation of Societies for Life in Peace,²⁷

⁵¹ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 23 (A/40/23)*, chap. II, annex I.

⁵² See A/36/534, annex II.

⁵³ See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Fourth Extraordinary Session*, vol. 1 and corrigendum, *Resolutions*, sect. II.

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 so as to remedy existing imbalances by strengthening and intensifying the development of human and material resources, communication networks and infrastructures, particularly in developing countries, and thus encourage a wider and better balanced dissemination of information,

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 essential instrument for the development of human and material resources and communication infrastructures in the developing countries and the establishment of a new world information and communication order,

Conscious that diverse solutions to information and communication problems are required because political, economic, cultural and social problems differ from one country to another,

Recognizing the central role of, and the progress accomplished by, the United Nations Educational, Scientific and Cultural Organization in the field of information and communication within its mandate, and that the United Nations system as a whole and all others concerned should give that organization adequate support and assistance in the field of information and communication,

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, on the activities relating to the establishment of a new world information and communication order and on the social, economic and cultural impact of the new communication technologies;³⁷

2. *Appeals* to the mass media world-wide to explore all possible avenues for more equitable international co-operation in the field of information and communication and to respond in a positive way to the exceptional opportunities now available to them in the field of international relations, in order to open new vistas of progress for the world community;

3. *Underlines* the importance of efforts made to implement the principles set forth in 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;²⁶

4. *Reiterates its appeal* to 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 need for the development of communication capacities in developing countries as a step towards the establishment of a new world information and communication order;

5. *Considers* that the International Programme for the Development of Communication represents a significant step towards the development of conditions for the establishment of a new world information and communication order, and welcomes the decisions adopted by the Intergovernmental Council of the Programme at its fifth and sixth sessions, held in Paris in 1984 and 1985;

6. *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 International Programme for the Development of Communication;

7. *Expresses its appreciation* to all Member States that have made or pledged a contribution towards the implementation of the International Programme for the Development of Communication;

8. *Reiterates its requests* to 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 make an increased contribution to the International Programme for the Development of Communication by making greater financial resources available, as well as more training resources, equipment, technologies and staff;

9. *Appeals* to Member States to respond positively and effectively to resolution 4/22 of 27 October 1980²⁸ concerning the reduction of telecommunication tariffs for news exchanges, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization, and to take the necessary steps to implement that resolution;

10. *Notes with satisfaction* that a second Round Table on a New World Information and Communication Order will be organized jointly by the United Nations and the United Nations Educational, Scientific and Cultural Organization at Copenhagen in April 1986;

11. *Reaffirms* its strong support for the United Nations Educational, Scientific and Cultural Organization, its Constitution, the ideals reflected in it, its activities and for its efforts to further enhance its capabilities with a view to promoting the establishment of a new world information and communication order;

12. *Encourages* the Director-General of the United Nations Educational, Scientific and Cultural Organization to continue the chronological survey of the documents dealing with the establishment of a new world information and communication order and the analysis of the evolution of this concept, and to keep the Committee informed on developments in this area;

13. *Encourages* the United Nations Educational, Scientific and Cultural Organization to continue and intensify its studies, programmes and activities with a view to identifying new technological trends in information, communication, telematics and informatics and assess their socio-economic and cultural impact on the development of peoples, and in this context requests it to provide, whenever necessary, periodic studies relevant to these topics;

14. *Invites* 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 forty-first session, a detailed report on the implementation of the International Programme for the Development of Communication and the activities relating to the establishment of a new world information and communication order as well as on the social, economic and cultural effects of the accelerated development of communication technologies.

40/165. United Nations Relief and Works Agency for Palestine Refugees in the Near East

A

ASSISTANCE TO PALESTINE REFUGEES

The General Assembly,

Recalling its resolution 39/99 A of 14 December 1984 and all its 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 1984 to 30 June 1985,⁵⁴

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. *Expresses its deep appreciation* to the former Commissioner-General, Mr. Olof Rydbeck, for his many years of effective service to the Agency and his dedication to the welfare of the refugees;

4. *Reiterates its request* that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable;

5. *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),⁵⁵ and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1986;

6. *Directs attention* to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

7. *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 Agency 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;

8. *Calls upon* all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, 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.

*118th plenary meeting
16 December 1985*

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, 37/120 A of 16 December 1982, 38/83 B of 15 December 1983 and 39/99 B of 14 December 1984,

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 East⁵⁶ 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,⁵⁷

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 1984 to 30 June 1985,⁵⁴

Gravely concerned at the critical financial situation of the Agency, 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 Agency,

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, 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.

*118th plenary meeting
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⁵⁴ Official Records of the General Assembly, Fortieth Session, Supplement No. 13 (A/40/13 and Corr.1 and Add.1 and Add.1/Corr.1).

⁵⁵ See A/40/580, annex.

⁵⁶ A/36/866; see also A/37/591.

⁵⁷ A/40/736; see also the special report adopted on 26 March 1985 (A/40/207).

C

ASSISTANCE TO PERSONS DISPLACED AS A RESULT OF THE JUNE 1967 AND SUBSEQUENT HOSTILITIES

The General Assembly,

Recalling its resolution 39/99 C of 14 December 1984 and all its 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 1984 to 30 June 1985,⁵⁴

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. Reaffirms its resolution 39/99 C and all its 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.

*118th plenary meeting
16 December 1985*

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, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983 and 39/99 D of 14 December 1984,

Cognizant of the fact that the Palestine refugees have, for the last three decades, lost their lands and means of livelihood,

Having examined the report of the Secretary-General,⁵⁸

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 1984 to 30 June 1985,⁵⁴

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;

⁵⁸ A/40/612.

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to General Assembly resolution 39/99 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend 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 forty-first session on the implementation of the present resolution.

*118th plenary meeting
16 December 1985*

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, 3087 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, 37/120 E of 16 December 1982, 38/83 E of 15 December 1983 and 39/99 E of 14 December 1984,

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 1984 to 30 June 1985,⁵⁴ and the report of the Secretary-General,⁵⁹

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 obligation under international law, persist in their policy of demolishing shelters occupied by refugee families,

1. Reiterates strongly its demand that Israel desist from the removal and resettlement of Palestine refugees in the Gaza Strip and from the destruction of their shelters;

⁵⁹ A/40/613.

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 forty-first session, on Israel's compliance with paragraph 1 above.

*118th plenary meeting
16 December 1985*

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, 38/83 F of 15 December 1983, 39/99 F of 14 December 1984 and all its 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 1984 to 30 June 1985,⁶⁰ and the report of the Secretary-General,⁶¹

Deeply concerned at the interruption by the Agency, owing to financial difficulties, of the general ration distribution to Palestine refugees in all fields,

1. *Regrets* that its resolutions 37/120 F, 38/83 F and 39/99 F have not been implemented;

2. *Calls once again 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 to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields;

4. *Requests* the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*118th plenary meeting
16 December 1985*

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, 2700 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, 37/120 G of 16 December 1982, 38/83 G of 15 December 1983 and 39/99 G of 14 December 1984,

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 1984 to 30 June 1985,⁶² and the report of the Secretary-General,⁶¹

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 to 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;

(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 forty-first session on Israel's compliance with paragraph 4 above.

*118th plenary meeting
16 December 1985*

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, 38/83 H of 15 December 1983, 39/99 H of 14 December 1984 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Secretary-General,⁶²

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1984 to 31 August 1985,⁶³

Recalling that the Universal Declaration of Human Rights⁸ 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 Palestine Arab refugees are entitled to their property and to the income derived from their

⁶⁰ A/40/766.

⁶¹ A/40/614.

⁶² A/40/616.

⁶³ A/40/580, annex.

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 Palestine 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,⁶⁴ 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* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. *Calls upon* all other Governments of Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel, which would assist the Secretary-General in the implementation of the present resolution;

4. *Deplores* Israel's refusal to co-operate with the Secretary-General in the implementation of the resolutions on the question;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*118th plenary meeting
16 December 1985*

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 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982, 38/83 I of 15 December 1983 and 39/99 I of 14 December 1984,

Having considered the report of the Secretary-General,⁶⁵

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 1984 to 30 June 1985,⁶⁴

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁷ and to the obligations arising from the Regulations annexed to the Hague Convention IV of 1907,⁶⁶

Taking into consideration the marked deterioration in the security situation experienced by the refugees living in the Gaza Strip as reported by the Commissioner-General in his statement of 4 November 1985,⁶⁷

Deeply concerned at the lack of security for the Palestine refugees in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, resulting in scores of violent deaths, woundings, kidnappings, disappearances, evictions in the face of threats, explosions and arsons,

Deeply distressed at the sufferings of the Palestinians resulting from the Israeli invasion of Lebanon,

Reaffirming its support for the sovereignty, unity and territorial integrity of Lebanon, within its internationally recognized boundaries,

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 in 1967 and thereafter;

2. *Holds* Israel responsible for the security of the Palestine refugees in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

3. *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;

4. *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;

5. *Calls once again upon* Israel to compensate the Agency for the damage to its property and facilities resulting from the Israeli invasion of Lebanon, without prejudice to Israel's responsibility for all damages resulting from that invasion;

6. *Requests* the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-first session, on the implementation of the present resolution.

*118th plenary meeting
16 December 1985*

J

PALESTINE REFUGEES IN THE WEST BANK

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

⁶⁴ *Official Records of the General Assembly, Nineteenth Session, Annex No. 11, document A/5700.*

⁶⁵ A/40/756.

⁶⁶ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

⁶⁷ See *Official Records of the General Assembly, Fortieth Session, Special Political Committee, 22nd meeting, paras. 27-38.*

Recalling also General Assembly resolutions 38/83 J of 15 December 1983 and 39/99 J of 14 December 1984,

Having considered the report of the Secretary-General,⁶⁸

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 1984 to 30 June 1985,⁶⁴

Alarmed by Israel's 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 once again 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 forty-first session, on any developments regarding this matter.

*118th plenary meeting
16 December 1985*

K

UNIVERSITY OF JERUSALEM "AL-QUDS" FOR PALESTINE REFUGEES

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983 and 39/99 K of 14 December 1984,

Having examined the report of the Secretary-General on the question of the establishment of a university at Jerusalem,⁶⁹

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 1984 to 30 June 1985,⁶⁴

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 38/83 D of 15 December 1983 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. *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;

5. *Calls upon* Israel, the occupying Power, to co-operate 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;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the progress made in the implementation of the present resolution.

*118th plenary meeting
16 December 1985*

49/166. International co-operation to avert new flows of refugees

The General Assembly,

Reaffirming its resolutions 36/148 of 16 December 1981, 37/121 of 16 December 1982, 38/84 of 15 December 1983 and 39/100 of 14 December 1984 on international co-operation to avert new flows of refugees,

Having examined the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,⁷⁰

Considering the urgency, magnitude and complexity of the task before the Group of Governmental Experts,

Welcoming the fact that experts coming from least developed countries were enabled to participate in the 1984 and 1985 sessions of the Group,

Recognizing the necessity of having all the experts participate in the future sessions of the Group,

1. *Welcomes* the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, including its recommendations, as a further constructive step in the fulfilment of its mandate;

2. *Reaffirms and extends* the mandate of the Group of Governmental Experts as defined in General Assembly resolutions 36/148 and 37/121;

3. *Calls upon* the Secretary-General, without prejudice to the rule contained in resolution 36/148, to continue 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 so that it may fulfil its mandate;

4. *Calls upon* the Group of Governmental Experts to work expeditiously on the fulfilment of its mandate in two sessions of two weeks' duration each during 1986 and to conclude its comprehensive review of the problem in all its aspects;

5. *Requests* the Group of Governmental Experts to submit its report in time for consideration by the General Assembly at its forty-first session;

6. *Decides* to include in the provisional agenda of its forty-first session the item entitled "International co-operation to avert new flows of refugees".

*118th plenary meeting
16 December 1985*

⁶⁸ A/40/615.

⁶⁹ A/40/543.

⁷⁰ A/40/385, annex.

40/167. 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, 37/122 of 16 December 1982, 38/85 of 15 December 1983 and 39/101 of 14 December 1984,

Taking note of the report of the Secretary-General,⁷¹

1. *Requests* the Secretary-General to monitor on a continuing basis any new development relating to the proposed canal linking the Mediterranean Sea to the Dead Sea and to report all findings in this regard to the General Assembly;

2. *Decides* to resume consideration of this item in case activities by Israel relating to the said canal are resumed.

*118th plenary meeting
16 December 1985*

⁷¹ A/40/803.

V. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SECOND COMMITTEE¹

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40/169. Economic development projects in the occupied Palestinian territories

The General Assembly,

Aware of the Israeli restrictions imposed on the foreign trade of the occupied Palestinian territories,

Aware also of the imposed domination of the Palestinian market by Israel,

Taking into account the need to give Palestinian firms and products direct access to external markets without Israeli interference,

Noting with regret the lack of progress in the implementation of General Assembly resolution 39/223 of 18 December 1984, as reflected in the report of the Secretary-General on economic development projects in the occupied Palestinian territories,²

1. Calls for the urgent lifting of the Israeli restrictions imposed on the economy of the occupied Palestinian territories;

2. Recognizes the Palestinian interest in establishing a seaport in the occupied Gaza Strip to give Palestinian firms and products direct access to external markets;

3. Calls upon all concerned to facilitate the establishment of a seaport in the occupied Gaza Strip;

4. Also calls upon all concerned to facilitate the establishment of a cement plant in the occupied West Bank and a citrus plant in the occupied Gaza Strip;

5. Requests the Secretary-General to continue his efforts to facilitate the establishment of the above-mentioned projects and to report to the General Assembly at its forty-first session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

40/170. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 39/224 of 18 December 1984,

Recalling also Economic and Social Council resolution 1985/57 of 25 July 1985,

Recalling further the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine,³

Noting the need to provide economic and social assistance to the Palestinian people,

1. Takes note of the report of the Secretary-General on assistance to the Palestinian people;⁴

2. Notes the meeting on assistance to the Palestinian people that was held at Geneva on 5 and 8 July 1985 in response to General Assembly resolution 39/224;

3. Expresses its thanks to the Secretary-General for convening the meeting on assistance to the Palestinian people;

4. Regards such a meeting as a valuable opportunity to assess progress in economic and social assistance to the Palestinian people and to explore ways and means of enhancing such assistance;

5. Draws the attention of the international community, the United Nations system and intergovernmental and non-governmental organizations to the need to disburse

² A/40/367-E/1985/116.

³ 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.

⁴ A/40/353-E/1985/115 and Corr.1 and Add.1 and Add.1/Corr.1.

their aid to the occupied Palestinian territories only for the benefit of the Palestinian people;

6. Requests the Secretary-General:

(a) To review the progress made in the implementation of the proposed activities and projects described in his report on assistance to the Palestinian people;

(b) To take all necessary steps to finalize the programme of economic and social assistance to the Palestinian people requested in General Assembly resolution 38/145 of 19 December 1983;

(c) To convene in 1986 a meeting of the relevant programmes, organizations, agencies, funds and organs of the United Nations system to consider economic and social assistance to the Palestinian people;

(d) To provide for the participation in the meeting of the Palestine Liberation Organization, the Arab host countries and relevant intergovernmental and non-governmental organizations;

7. Requests the relevant programmes, organizations, agencies, funds 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;

8. 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;

9. Requests the Secretary-General to report to the General Assembly at its forty-first session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

40/171. International Drinking Water Supply and Sanitation Decade

The General Assembly,

Recalling its resolution 32/158 of 19 December 1977, in which it approved the Mar del Plata Action Plan adopted by the United Nations Water Conference,⁵

Recalling also its resolution 35/18 of 10 November 1980, by which it proclaimed the period 1981-1990 as the International Drinking Water Supply and Sanitation Decade,

Recalling further Economic and Social Council resolution 1983/57 of 28 July 1983, in which the Council urged Governments of developing countries to adopt national targets for drinking water supply and sanitation services, commensurate with resource availability, absorptive capacity and ability, and to formulate action plans and programmes for reaching the targets set,

Mindful of the fact that significant progress towards meeting the objectives of the Decade by 1990 will require a much greater sense of urgency and priority on the part of Governments and the continued support of the international community,

1. Welcomes the recommendations and conclusions contained in the report of the Secretary-General on progress in the attainment of the goals of the International Drinking Water Supply and Sanitation Decade;⁶

⁵ See Report of the United Nations Water Conference, Mar del Plata, 14-25 March 1977 (United Nations publication, Sales No. E.77.II.A.12), chap. I.

⁶ A/40/108-E/1985/49.

2. *Encourages* Governments to seek to implement the recommendations for action contained in the report, in particular:

(a) To strengthen national capabilities for policy formulation and for the preparatory, implementation and monitoring of water supply and sanitation programmes and projects;

(b) To prepare and implement national strategies to meet and develop both present and longer-term needs for skilled human resources;

(c) To intensify efforts to improve the mobilization and utilization of national financial resources;

(d) To increase the attention devoted to health education and community participation and to the need for close operational linkages between health and water supply agencies;

(e) To formulate and implement strategies that will enhance the participation of women in the planning, operation and assessment of water and sanitation programmes and projects;

3. *Calls upon* organs, organizations and bodies of the United Nations system, as well as other multilateral, bilateral and non-governmental organizations, to continue and, where possible, increase their assistance to Governments in support of national plans and programmes for the Decade as well as in support of efforts to implement the above-mentioned recommendations for action;

4. *Urges* the international community to take note of the need to enhance co-ordination of technical co-operation activities at the global and national levels and, in this regard, supports the role of the resident representatives of the United Nations Development Programme as focal points for the Decade at the country level;

5. *Takes note* of the need to focus efforts and resources on the least developed countries where requirements for drinking water and sanitation are the greatest, and of the need to give special consideration to the countries of sub-Saharan Africa;

6. *Requests* the Secretary-General, at the end of the Decade, in 1990, to prepare a report on the progress achieved during the Decade, providing a detailed comparative analysis based as much as possible on quantitative data, as well as recommendations for future and follow-up action that may be required, for submission to the General Assembly at its forty-fifth session.

*119th plenary meeting
17 December 1985*

40/172. World Tourism Organization

The General Assembly,

Recalling its resolutions 32/156 and 32/157 of 19 December 1977, 33/122 of 19 December 1978, 34/134 of 14 December 1979, 36/41 of 19 November 1981 and 38/146 of 19 December 1983,

1. *Takes note* of the report of the Secretary-General of the World Tourism Organization⁷ on the progress made in implementing the Manila Declaration⁸ and the Acapulco Document⁹ on World Tourism, and recognizes that the new approach of the World Tourism Organization, in which tourism is seen in the wider context of travel, can make a positive contribution to economic development;

2. *Invites* States to take that approach into account when formulating their travel policies and strategies, in accordance with their development plans;

3. *Requests* the United Nations Development Programme and other bodies of the United Nations system with an interest in this area to co-operate with the World Tourism Organization in accordance with the Manila Declaration and the Acapulco Document on World Tourism;

4. *Requests* the Secretary-General of the World Tourism Organization to submit to the General Assembly at its forty-second session, through the Economic and Social Council, a report on the progress made in implementing the present resolution and the relevant resolutions of the World Tourism Organization, particularly on the contribution of world tourism to regional development and the preservation of and respect for the cultural heritage of developing countries.

*119th plenary meeting
17 December 1985*

40/173. International economic security

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, 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 also the purposes and principles set forth in the Charter of the United Nations, in particular that of achieving international co-operation in solving international problems of an economic, social, cultural or humanitarian character and the inadmissibility of the threat or use of force in international relations,

Referring to Economic and Social Council resolution 1911 (LVII) of 2 August 1974,

Considering that ever-increasing interdependence between States and regions is an inevitable condition of world economic development, which determines the mutuality of interest of all countries in promoting development in a secure world environment,

Convinced that all countries would benefit from a more stable economic, trade, monetary and financial situation and from equitable solutions of the existing problems in these areas,

Further convinced that alleviation of the urgent economic problems of developing countries and elimination of the gap in the levels of economic development are major factors of international economic stability and a better political climate,

Recognizing the need to promote international economic security aimed at the economic and social development and progress of each country, in particular developing countries, through international economic co-operation and utilizing the potential of multilateral and regional organizations,

1. *Considers* that a common endeavour to promote just and mutually beneficial international economic relations would contribute to the economic well-being of each State and to the establishment of a new international economic order;

⁷ A/40/363-E/1985/97.

⁸ A/36/236, annex, appendix I.

⁹ A/38/182-E/1983/66, annex, appendix.

2. *Requests* the Secretary-General, taking into account the relevant previous studies, to prepare a comprehensive analytical report on a concept of international economic security, including ways and means of its attainment, with emphasis on the development interests of developing countries, for submission through the Economic and Social Council to the General Assembly at its forty-second session;

3. *Calls upon* all Governments and organizations, organs and bodies of the United Nations system to contribute to the implementation of the present resolution.

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17 December 1985*

40/174. Co-operation between the United Nations and the Agency for Cultural and Technical Co-operation

The General Assembly,

Recalling its resolution 33/18 of 10 November 1978, by which it accorded observer status to the Agency for Cultural and Technical Co-operation,

Recalling also its resolution 36/174 of 17 December 1981, in which it recognized the necessity of strengthening co-operation between the United Nations and the Agency for Cultural and Technical Co-operation, and its resolution 37/132 of 17 December 1982,

1. *Requests* the Secretary-General, in collaboration with the Secretary-General of the Agency for Cultural and Technical Co-operation, to update his report on co-operation between the United Nations and the Agency for Cultural and Technical Co-operation;¹⁰

2. *Also requests* the Secretary-General to submit the updated report to the General Assembly at its forty-first session, through the Economic and Social Council at its second regular session of 1986.

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17 December 1985*

40/175. Countries stricken by desertification and drought

The General Assembly,

Recalling its resolution 39/208 of 17 December 1984 and Economic and Social Council decision 1985/176 of 25 July 1985, as well as its Declaration on the Critical Economic Situation in Africa, annexed to its resolution 39/29 of 3 December 1984,

Noting Africa's Priority Programme for Economic Recovery 1986-1990,¹¹ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first ordinary session, held at Addis Ababa from 18 to 20 July 1985,

Congratulating the Government of Senegal for having taken the initiative of convening the Ministerial Conference for a joint policy to combat desertification in the countries of the Permanent Inter-State Committee on Drought Control in the Sahel and the Economic Community of West African States, in the Maghreb countries and in Egypt and the Sudan, which met at Dakar, for the first time from 18 to 27 July 1984,¹² and for the second time from 1 to 9 November 1985,¹³

Congratulating the Government of Egypt for having invited the first African Environmental Conference, organized by the United Nations Environment Programme in consultation with the Economic Commission for Africa and the Organization of African Unity, to be held at Cairo in December 1985,

Congratulating also the Government of France for having taken the initiative of convening an international conference on tree and forest, to be held in Paris in February 1986,

Noting the positive action taken by the United Nations Sudano-Sahelian Office, as part of a joint effort by the United Nations Development Programme and the United Nations Environment Programme to help twenty-two African countries, on behalf of the United Nations Environment Programme, implement the Plan of Action to Combat Desertification,¹⁴

Taking note of decision 12/10 of 28 May 1984 on desertification, adopted by the Governing Council of the United Nations Environment Programme,¹⁵

Welcoming the establishment by six east African countries — Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda — of an Intergovernmental Authority for Drought and Development for the purpose of combating the effects of drought in those countries,

Deeply concerned by the tragic consequences of the acceleration of desertification, combined with persistent drought — the most serious recorded this century — which have resulted in a substantial drop in the agricultural output of many developing countries and have contributed particularly to a worsening of the current economic crisis in Africa,

Noting with great anxiety that desertification and drought continue to spread and intensify in developing countries, particularly in Africa,

Aware that the problems of desertification and drought are increasingly assuming a structural and endemic character and that real and permanent solutions must be found in increased global efforts based on concerted action by the stricken countries and the international community,

Bearing in mind that the majority of the countries affected by desertification and drought are low-income countries and, for the most part, belong to the group of the least developed countries, particularly those in Africa,

Aware that the prime responsibility in the struggle against desertification and the effects of drought rests with the countries concerned and that such action is an essential component of their development,

Recognizing, however, that given the scope and the intensity of desertification and drought, particularly in the least developed countries, the attainment of the objectives of programmes to combat these scourges requires financial and human resources beyond the means of the affected countries,

Considering the interdependence between developed countries and those affected by desertification and drought, and the negative impact of those phenomena on the economies of the countries concerned,

Emphasizing the fundamental importance of all forms of South-South co-operation in executing programmes to combat desertification and drought,

¹⁰ A/38/236-E/1983/75.

¹¹ A/40/666, annex I, declaration AHG/Decl.1 (XXI), annex.

¹² See A/39/530, annex.

¹³ See A/C.2/40/10, annex.

¹⁴ Report of the United Nations Conference on Desertification, Nairobi, 29 August-9 September 1977 (A/CONF.74/36), chap. I.

¹⁵ See Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 25 (A/39/25), annex.

*Taking note of the preliminary report of the Secretary-General on the countries stricken by desertification and drought,*¹⁶

1. *Welcomes* the results of the Ministerial Conference for a joint policy to combat desertification in the countries of the Permanent Inter-State Committee on Drought Control in the Sahel and the Economic Community of West African States, in the Maghreb countries and in Egypt and the Sudan, and takes note with satisfaction of the final resolution adopted by the Conference in 1984¹² and that adopted in 1985;¹³

2. *Takes note with satisfaction* of the establishment by the Organization of African Unity of the Special Emergency Assistance Fund for Drought and Famine in Africa;

3. *Recommends* that high priority should be given in the development plans and programmes of the affected countries themselves to the problem of desertification and to problems resulting from drought;

4. *Recognizes* that particular attention should be given to countries stricken by desertification and drought and that special efforts should be made by the international community, particularly the developed countries, in support of action taken individually or collectively by the affected countries;

5. *Recommends* that the international community, above all the developed countries, should continue to provide coherent short-term, medium-term and long-term assistance to those countries in order to support the rehabilitation process effectively — in particular through intensive reforestation — and the renewal of growth of agricultural production in the countries stricken by desertification and drought, particularly in Africa;

6. *Recommends* that, within the framework of bilateral and multilateral development aid programmes, the fight against desertification and drought should be granted priority in view of the extent of those problems;

7. *Appeals* to all members of the international community, including organs and agencies of the United Nations system, regional and subregional financial institutions, and non-governmental organizations, to continue to provide full support, in all forms — including financial, technical or any other form of assistance — to the development efforts of countries stricken by desertification and drought;

8. *Takes note with satisfaction* of the generosity with which the international community has responded to the assistance needs resulting from the emergency in Africa, particularly as regards food aid, transport and medical assistance;

9. *Requests* the appropriate organs and agencies of the United Nations to provide the Secretary-General, for transmission to the stricken countries, with all relevant studies carried out in their respective spheres of competence, in particular with respect to food and agricultural production, development of water resources, industrialization and raw materials, including the studies carried out by the United Nations Conference on Trade and Development on the impact of desertification and drought on the foreign trade of the stricken countries, including similarly, the studies to determine the interaction between forest zones and arid regions and their influence on the acceleration of desertification, particularly in Africa;

10. *Requests* the Secretary-General to take all necessary steps to ensure that his final report on the implementation of resolution 39/208, which is to be submitted to the General Assembly through the Economic and Social

Council at its second regular session of 1986, contains proposals for specific action to be undertaken, as indicated in the present resolution.

*119th plenary meeting
17 December 1985*

40/176. Target for World Food Programme pledges for the period 1987-1988

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 also the provisions of paragraph 4 of its resolution 38/176 of 19 December 1983 that, subject to the review mentioned above, the next pledging conference should be convened at the latest early in 1986, at which time 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 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 twentieth session,

Having considered the recommendations of the Committee on Food Aid Policies and Programmes,¹⁷

Recognizing the value of multilateral food aid as implemented 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 1987 and 1988 a target for voluntary contributions to the World Food Programme of \$1.4 billion, comprising 3.25 million tons of food at current prices and \$405 million in cash, 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 1986;

4. *Decides* that, subject to the review provided for in its resolution 2095 (XX), the next pledging conference at which Governments and appropriate donor organizations should be invited to pledge contributions for the biennium 1989-1990, 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, should be convened, at the latest, early in 1988.

*119th plenary meeting
17 December 1985*

¹⁶ A/40/392-E/1985/117.

¹⁷ See World Food Programme, *Report of the Twentieth Session of the Committee on Food Aid Policies and Programmes, Rome, 30 September-10 October 1985* (WFP/CFA: 20/20).

40/177. Co-ordination in the United Nations and the United Nations system

The General Assembly,

Recalling relevant parts of Articles 15, 17, 57, 58, 63 and 64 of the Charter of the United Nations,

Reaffirming its resolution 32/197 of 20 December 1977, by which it, *inter alia*, endorsed the conclusions and recommendations, as amended, of the *Ad Hoc* Committee on the Restructuring of the Economic and Social Sectors of the United Nations System, among which were guidelines and directives on inter-agency co-ordination,

Reaffirming further Economic and Social Council resolution 1985/77 of 26 July 1985,

Taking note of the references which were made to the importance of co-ordination in statements during the fortieth anniversary session of the United Nations,

Convinced of the pressing need for effective co-ordination and co-operation within the framework of the United Nations system, at both the intergovernmental and inter-secretariat levels, to ensure coherent, efficient and responsive implementation of programmes in the future,

Bearing in mind problems that have arisen in co-ordination,

Considering that it is important to take steps to improve further the effectiveness of the United Nations system,

1. Stresses the need for effective and improved co-ordination in the United Nations system as laid down in the Charter of the United Nations and the agreements between the United Nations and the specialized agencies, and calls upon all concerned to observe more vigorously their responsibilities in this regard;

2. Requests the Secretary-General, after consultation with the executive heads of the specialized agencies, to re-examine critically and constructively all aspects of the question of co-ordination in the United Nations and the United Nations system; to submit to the General Assembly at its forty-second session, through the Committee for Programme and Co-ordination and the Economic and Social Council, a comprehensive report setting out his considered views on current mechanisms and procedures, and his specific recommendations aimed at enhancing co-ordination in the future, as envisaged in the Charter of the United Nations and the agreements between the United Nations and the specialized agencies and in accordance with the relevant resolutions; to report orally to the Economic and Social Council at its second regular session of 1986 and to submit a progress report to the Assembly early in its forty-first session.

*119th plenary meeting
17 December 1985*

40/178. Strengthening the role of the United Nations in the field of international economic, scientific-technological and social co-operation

The General Assembly,

Reaffirming the fundamental purposes of the United Nations as laid down in its Charter,

Recognizing that the creation of conditions of stability and well-being is necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,

Reaffirming that the United Nations, with a view to the creation of such conditions, should promote higher standards of living, full employment, conditions of economic and social progress and development, solutions of interna-

tional economic, social, health and related problems, international cultural and educational co-operation, and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

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,

Aware of the current state of international economic relations which calls for renewed efforts to promote international economic co-operation and to create a more favourable environment for advancing the economic and social development of all countries, in particular the developing countries,

Stressing the importance of multilateral economic negotiations in the United Nations system,

Noting the important role and historic responsibility of Governments for promoting international economic co-operation and for conducting fruitful multilateral negotiations to this end,

Stressing that the purposes of the United Nations can be achieved only under conditions in which its Members comply fully with their obligations assumed under the Charter,

Expressing the hope and desire that the year 1985 will mark the beginning of a new era of durable and global economic and social co-operation, of strengthening the role of the United Nations system and of further enhancing its effectiveness in this regard,

1. Reaffirms that co-operation among all nations should be based on 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;

2. Appeals to all Member States to reaffirm their solemn pledge to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in the Charter on international economic co-operation and to contribute genuinely their share of efforts to this end;

3. Emphasizes the important contribution of the United Nations system in responding to the particular needs of the developing countries, and stresses in this context the need to strengthen multilateral co-operation for development, including increased voluntary contributions to operational activities for development of the United Nations system;

4. Emphasizes also the urgent need for all Member States to intensify their contribution to creating an atmosphere favourable to fruitful and constructive negotiations on international economic problems within the United Nations system;

5. Stresses the willingness of Member States to strengthen the United Nations system as a framework for constructive dialogue and joint efforts in solving international economic, scientific-technological and social problems, especially problems confronting the developing countries;

6. Urges all Member States to continue in a constructive spirit and in good faith the negotiations initiated in the United Nations system on international economic

issues and to bring them to a successful end by reaching mutually acceptable and just solutions in accordance with the objectives agreed upon;

7. *Invites* the Secretary-General to report to the General Assembly, in his annual reports, on the progress achieved in the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

40/179. Patterns of consumption: qualitative aspects of development

The General Assembly,

Bearing in mind the provisions of the Charter of the United Nations, in particular Article 55, and the provisions of articles 22 to 26 of the Universal Declaration of Human Rights,¹⁸ as well as the International Covenant on Economic, Social, and Cultural Rights,¹⁹

Recalling General Assembly resolution 3345 (XXIX) of 17 December 1974 and Economic and Social Council resolution 1981/51 of 22 July 1981 on the interrelationships between population, resources, environment and development, as well as the discussion of the reports of the Secretary-General on the question,²⁰

Taking note of the report of the Secretary-General on the overall socio-economic perspective of the world economy to the year 2000,²¹

Convinced of the necessity to preserve in the long term the balance between resources, population, environment and development, taking into account the advances made in science and technology and the progress accomplished in the transfer of technological innovations to developing countries,

Recalling further, as stated in paragraph 8 of the International Development Strategy for the Third United Nations Development Decade,²² that the development process must promote human dignity, economic growth, productive employment and social equity and 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, within the framework of the development plans and national priorities of each country,

Reaffirming, in accordance with the goals and objectives of the International Development Strategy for the Third United Nations Development Decade, in particular paragraph 42 thereof, that the international community will provide technical and financial support to achieve immediate and long-term social and economic objectives in the context of an overall substantial increase in resources for development, paying due respect to the cultural identities of nations and peoples,

Considering that, in order to satisfy the fundamental socio-economic needs, it is important to promote, in accordance with national economic plans and priorities, the production of goods and services necessary for the improvement of the human condition,

Noting that the United Nations has undertaken to establish consolidated inventories of data on the environment, natural resources, existing infrastructures and population, including the structure and socio-economic needs of population groups,

Recalling also that the Statistical Commission, the United Nations Research Institute for Social Development

and other bodies in the United Nations system have undertaken studies of socio-economic indicators,

Aware of the need for methods to measure with greater accuracy the level of satisfaction of socio-economic needs in the developing countries, in order to facilitate the search for better ways of improving living standards,

1. *Reaffirms* the common goal pursued by the international community of realizing, through national efforts and international co-operation, and in accordance with the organization and resources of each country, the enjoyment of the economic, social and cultural rights indispensable for the development of the human condition as well as for the well-being of individuals and their families, especially in regard to food, clothing, housing, education, health care and necessary social services;

2. *Considers* that an accurate assessment of the advances in living standards requires a reliable measuring instrument consisting of a set of indicators related to living conditions, employment and the circumstances underlying them, and the improvement of basic national statistical programmes and capabilities related to food, clothing, housing, education, health care and necessary social services;

3. *Notes* the importance of identifying, for national use, indicative patterns of consumption that adequately meet fundamental socio-economic needs and are tailored to local and national requirements, particularly in developing countries, taking into account national experience, plans and strategies;

4. *Encourages*, in this regard, countries to undertake efforts to collect, tabulate and regularly publish accurate and updated data on consumption and living standards for different population groups, bearing in mind the need for more international attention to be given to the qualitative aspects of development;

5. *Requests* the Secretary-General to continue to implement General Assembly resolution 3345 (XXIX) in order to assist all States, particularly developing countries, and the organs of the United Nations in their efforts to advance knowledge on the interrelated issues of resources, population, environment and development;

6. *Further requests* the Secretary-General to prepare a report on patterns of consumption and related socio-economic indicators, based on the views of all interested States and on information about the work done so far by relevant bodies in the United Nations system, in particular the United Nations Research Institute for Social Development, and to submit the report to the Statistical Commission at its twenty-fourth session for consideration, and requests the Economic and Social Council to report thereon to the General Assembly at its forty-second session.

*119th plenary meeting
17 December 1985*

40/180. Agreement between the United Nations and the United Nations Industrial Development Organization

The General Assembly,

Recalling paragraph 11 of its resolution 34/96 of 13 December 1979,

Having considered Economic and Social Council resolution 1985/81 of 12 December 1985, and the draft agreement annexed thereto, intended to bring the United

¹⁸ Resolution 217 A (III).

¹⁹ See resolution 2200 A (XXI), annex.

²⁰ E/1979/75, E/1981/65, A/36/571.

²¹ A/40/519.

²² Resolution 35/56, annex.

Nations Industrial Development Organization into relationship with the United Nations in accordance with Articles 57 and 63 of the Charter of the United Nations,

Approves the Agreement between the United Nations and the United Nations Industrial Development Organization set forth in the annex to the present resolution.

*119th plenary meeting
17 December 1985*

ANNEX

Agreement between the United Nations and the United Nations Industrial Development Organization

PREAMBLE

In consideration of the provisions of Article 57 of the Charter of the United Nations and of article 18 of the Constitution of the United Nations Industrial Development Organization, the United Nations and the United Nations Industrial Development Organization agree as follows:

Article 1

RECOGNITION

The United Nations recognizes the United Nations Industrial Development Organization (hereinafter called the "Organization") as a specialized agency within the United Nations system as defined in its Constitution and as being responsible for taking appropriate action in accordance with its Constitution, as well as with any treaties and agreements administered by it.

Article 2

CO-ORDINATION AND CO-OPERATION

In its relations with the United Nations, its organs and the agencies of the United Nations system, the Organization recognizes the co-ordinating role, as well as the comprehensive responsibilities in promoting economic and social development, of the General Assembly and the Economic and Social Council under the Charter of the United Nations. The Organization, in exercise of its central co-ordinating role in the field of industrial development, recognizes the need for effective co-ordination and co-operation with the United Nations, its organs and the agencies within the United Nations system. Accordingly, the Organization agrees to co-operate with the United Nations in whatever measure may be necessary to effect the required co-ordination of policies and activities. The Organization agrees further to participate in the work of any United Nations bodies which have been established or may be established for the purpose of facilitating such co-operation and co-ordination, in particular through membership in the Administrative Committee on Co-ordination.

Article 3

RECIPROCAL REPRESENTATION

(a) Representatives of the United Nations shall be invited to attend the sessions of all the bodies of the Organization and all such other meetings convened by the Organization, and to participate, without the right to vote, in the deliberations of such bodies and at such meetings. Written statements presented by the United Nations shall be distributed by the Organization to its members.

(b) Representatives of the Organization shall be invited to attend meetings and to participate, without the right to vote and in accordance with the relevant rules of procedure, in the deliberations of the Economic and Social Council, its commissions and committees, of the Main Committees and other organs of the General Assembly, of the Governing Council of the United Nations Development Programme, and of the conferences and meetings of the United Nations, with respect to items of the agenda relating to industrial development matters within the scope of the activities of the Organization and other matters of mutual interest. Written statements presented by the Organization shall be distributed by the Secretariat of the United Nations to the members of the above-mentioned bodies, in accordance with the relevant rules of procedure.

(c) Representatives of the Organization shall be invited, for purposes of consultation, to attend meetings of the General Assembly when matters as defined in paragraph (b) above are under discussion.

Article 4

PROPOSAL OF AGENDA ITEMS

(a) After such preliminary consultation as may be necessary, the United Nations may propose items for consideration by the Organization. The Organization shall arrange for the inclusion of such items in the provisional agenda of its General Conference, Industrial Development Board, Programme and Budget Committee, or any other subsidiary body, as appropriate.

(b) After such preliminary consultation as may be necessary, the Organization may propose items for consideration by the United Nations. The United Nations shall arrange for the inclusion of such items in the provisional agenda of the Economic and Social Council or, as appropriate and in accordance with the relevant rules of procedure, of other organs or bodies of the United Nations.

Article 5

RECOMMENDATIONS OF THE UNITED NATIONS

(a) Having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter of the United Nations and the function and power of the Economic and Social Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, the Organization agrees to arrange for the submission, as soon as possible, to the appropriate organ of the Organization, of all formal recommendations which the United Nations may make to it.

(b) The Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

Article 6

ANNUAL REPORT OF THE ORGANIZATION, INFORMATION AND DOCUMENTS

(a) The Organization shall submit to the United Nations an annual report on its activities.

(b) Subject to such arrangements as may be necessary for the safeguarding of confidential material, full and prompt exchange of appropriate information and documents shall be made between the United Nations and the Organization.

Article 7

STATISTICAL SERVICES

(a) The United Nations and the Organization agree to strive for the maximum co-operation, the elimination of all undesirable duplication between them and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burden placed upon Governments and other organizations from which such information may be collected.

(b) The Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.

(c) The United Nations recognizes the Organization as an appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its sphere, without prejudice to the right of the United Nations, its organs and other agencies within the United Nations system to concern themselves with such statistics in so far as they may be essential for their own purposes or for the improvement of statistics throughout the world.

(d) The United Nations shall, in consultation with the Organization and other agencies within the United Nations system, develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations, the Organization and other agencies within the United Nations system brought into relationship with it.

(e) It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the agencies within the United Nations system whenever it is practicable for any of

them to utilize information or materials which another may have available.

(f) In order to collect statistical information for general use, it is agreed that data supplied to the Organization for incorporation in its basic statistical series or special reports should, so far as is practicable, be made available to the United Nations on request.

(g) It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should, so far as is practicable and appropriate, be made available to the Organization upon request.

Article 8

ASSISTANCE TO THE UNITED NATIONS

The Organization shall, in accordance with the Charter of the United Nations and the Constitution of the Organization, as well as any treaties and agreements administered by it, co-operate with the United Nations by furnishing to it such information, special reports and studies, and by rendering such assistance to it, as the United Nations may request.

Article 9

TECHNICAL ASSISTANCE

The United Nations and the Organization undertake to work together in the provision of technical assistance in the field of industrial development. In particular, they undertake to avoid undesirable duplication of activities and services and agree to take such measures as may be required to achieve effective co-ordination within the framework of existing co-ordinating machinery in the field of technical assistance, taking into account the respective roles and responsibilities of the United Nations and the Organization under their constitutive instruments, as well as those of other organizations participating in technical assistance activities. To this end, the Organization recognizes the overall responsibilities of the resident co-ordinators for operational activities for development, as formulated in the relevant General Assembly resolutions, and agrees to give consideration to the common use of available services as far as is practicable. The United Nations will make available to the Organization its administrative services in this field for use as requested.

Article 10

TRANSFER OF TECHNOLOGY

The Organization agrees to co-operate within the field of its competence with the United Nations and its organs, particularly the United Nations Conference on Trade and Development and the United Nations Development Programme, as well as the agencies within the United Nations system, in promoting and facilitating the transfer of technology to and among developing countries in such a manner as to assist the Organization in attaining the objectives set forth in the Constitution.

Article 11

TRUST, NON-SELF-GOVERNING AND OTHER TERRITORIES

The Organization agrees to co-operate within the field of its competence with the United Nations in giving effect to the principles and obligations set forth in Chapters XI, XII and XIII of the Charter of the United Nations and other internationally recognized principles and obligations regarding colonial countries and peoples, with regard to matters affecting the well-being and development of the peoples of the Trust, Non-Self-Governing and other Territories.

Article 12

INTERNATIONAL COURT OF JUSTICE

(a) The Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

(b) The General Assembly of the United Nations authorizes the Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of the Organization's activities other than questions concerning the mutual relationships between the Organization and the United Nations or other agencies within the United Nations system.

(c) Such requests may be addressed to the International Court of Justice by the General Conference or by the Industrial Development Board of the Organization.

(d) When requesting the International Court of Justice to give an advisory opinion, the Organization shall inform the Economic and Social Council of the request.

Article 13

RELATIONS WITH OTHER AGENCIES WITHIN THE UNITED NATIONS SYSTEM

The Organization shall inform the Economic and Social Council of matters of inter-agency concern within its competence, and of any formal agreement on such matters to be concluded between the Organization and another agency within the United Nations system.

Article 14

ADMINISTRATIVE CO-OPERATION

(a) The United Nations and the Organization recognize the desirability of co-operation in administrative matters of mutual interest.

(b) Accordingly, the United Nations and the Organization undertake to consult together, and with other agencies concerned within the United Nations system, from time to time concerning these matters, particularly the most efficient and harmonized use of facilities, staff and services and appropriate methods of avoiding the establishment and operation of competitive or overlapping facilities and services with a view to securing as much uniformity in these matters as possible.

(c) The consultations referred to in this article shall be utilized to establish the most equitable manner in which any special services or assistance furnished, on request, by the Organization to the United Nations or by the United Nations to the Organization shall be financed.

(d) The consultations referred to in this article shall also explore the possibility of continuing or establishing common facilities or services in specific areas, including the possibility of one organization providing such facilities or services to one or several other organizations, and establish the most equitable manner in which such facilities or services shall be financed.

Article 15

REGIONAL AND BRANCH OFFICES

Any regional or branch offices which the Organization may establish shall closely co-operate with the regional or branch offices which the United Nations has established or may establish, in particular the offices of the regional commissions and of the resident co-ordinators.

Article 16

PERSONNEL ARRANGEMENTS

(a) The United Nations and the Organization agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable and beneficial interchange of personnel. For this purpose the Organization agrees to accept the Statute of the International Civil Service Commission.

(b) The United Nations and the Organization agree:

(i) To consult together from time to time concerning matters of mutual interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;

(ii) To co-operate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;

(iii) That the Organization shall participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and shall accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of these Regulations;

(iv) To co-operate with the agencies in the United Nations system in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

(c) The United Nations and the Organization agree to co-operate fully in ensuring that, to the extent possible, all members of the staff of the United Nations who were assigned to the United Nations Industrial Development Organization when it was a United Nations organ should be offered appointments by the Organization that preserve their acquired rights and contractual status.

(d) The terms and conditions under which any facilities or services of the Organization or the United Nations in connection with the matters referred to in this article are to be extended to the other shall, where neces-

sary, be the subject of complementary agreements concluded for this purpose.

Article 17

BUDGETARY AND FINANCIAL MATTERS

(a) The Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and the agencies within the United Nations system shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

(b) The Organization agrees to accept the Statute of the Joint Inspection Unit.

(c) The Organization agrees to conform, as far as may be practicable and appropriate, to standard practices and forms recommended by the United Nations.

(d) Financial and budgetary arrangements entered into between the United Nations and the Organization shall be approved in accordance with their respective constitutive instruments.

(e) In the preparation of the budget of the Organization, the Director-General of the Organization shall consult with the Secretary-General of the United Nations with a view to achieving, in so far as is practicable, uniformity in presentation of the budgets of the United Nations and of the agencies within the United Nations system for the purposes of providing a basis for comparison of the several budgets.

(f) The Organization agrees to transmit its proposed budgets to the United Nations not later than when the said budgets are transmitted to its members so as to enable the General Assembly of the United Nations to examine them and make recommendations, in accordance with paragraph 3 of Article 17 of the Charter of the United Nations.

(g) Representatives of the Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof established by it, at all times when the budget of the Organization or general administrative or financial questions concerning the Organization are under consideration.

Article 18

UNITED NATIONS LAISSEZ-PASSER

Officials of the Organization shall be entitled, in accordance with such special arrangements as may be concluded between the Secretary-General of the United Nations and the Director-General of the Organization, to use the laissez-passer of the United Nations.

Article 19

IMPLEMENTATION OF THE AGREEMENT

The Secretary-General of the United Nations and the Director-General of the Organization may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable.

Article 20

AMENDMENT AND REVISION

This Agreement may be amended or revised by agreement between the United Nations and the Organization and any such amendment or revision agreed upon between the Economic and Social Council of the United Nations and the Industrial Development Board of the Organization shall come into force on approval by the General Assembly of the United Nations and the General Conference of the Organization.

Article 21

ENTRY INTO FORCE

(a) This Agreement shall enter into force on its approval by the General Assembly of the United Nations and the General Conference of the Organization.

(b) Without prejudice to the provision of paragraph (a) of this article, the present Agreement shall be applied provisionally when it has been approved by the Economic and Social Council upon authorization of the

General Assembly and by the Industrial Development Board of the Organization upon authorization of the General Conference of the Organization.

40/181. Food and agricultural 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, 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,

Reaffirming the Universal Declaration on the Eradication of Hunger and Malnutrition adopted by the World Food Conference²³ and the Programme of Action adopted by the World Conference on Agrarian Reform and Rural Development,²⁴

Stressing the imperative need to keep food and agricultural issues at the centre of global attention,

Stressing also the urgent need for the international community in its development efforts to take determined action towards the elimination of, inter alia, poverty, hunger and malnutrition, and infant mortality,

Reaffirming the Declaration on the Critical Economic Situation in Africa, adopted by the General Assembly on 3 December 1984,²⁵

Reaffirming that food and agricultural problems in developing countries should be considered in a comprehensive manner in their different dimensions and in their immediate, short-term and long-term perspectives,

Affirming the urgent need for sustained international support for the efforts of the African countries towards rehabilitation and long-term development of their food and agriculture,

Reaffirming that the right to food is a universal human right which should be guaranteed to all people and, in that context, believing in the general principle that food should not be used as an instrument of political pressure,

Reaffirming also that the maintenance of peace and security and the strengthening of international co-operation in food and agriculture are important for improved economic conditions and enhanced food security,

1. *Reaffirms its resolutions 38/158 of 19 December 1983 and 39/166 of 17 December 1984, and Economic and Social Council resolution 1984/54 of 25 July 1984, as well as all other relevant resolutions concerning food and agriculture, and calls for their immediate and effective implementation;*

2. *Welcomes the conclusions and recommendations, as adopted, contained in the report of the World Food Council on the work of its eleventh ministerial session, held in Paris from 10 to 13 June 1985;²⁶*

3. *Welcomes also the conclusions and recommendations contained in the tenth annual report of the Committee on Food Aid Policies and Programmes of the World Food Programme²⁷ and in the report of the Committee on its nineteenth session;²⁸*

²³ Report of the World Food Conference, Rome, 5-16 November 1974 (United Nations publication, Sales No. E.75.II.A.3), chap. I.

²⁴ 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.

²⁵ Resolution 39/29, annex.

²⁶ Official Records of the General Assembly, Fortieth Session, Supplement No. 19 (A/40/19), part one.

²⁷ See E/1985/110. The annual report was issued as document WFP/CFA: 19/21.

²⁸ See World Food Programme, Report of the Nineteenth Session of the Committee on Food Aid Policies and Programmes, Rome, 20-31 May 1985 (WFP/CFA: 19/22).

4. *Affirms* that food represents an essential element of the world's economic, social and political development process and should therefore be treated with the highest priority by all Governments in their rededication to the principles and purposes of the Charter of the United Nations in this fortieth anniversary year of the United Nations and to the commitment of the World Food Conference to eliminate hunger and malnutrition;

5. *Reaffirms* that urgent action should be taken to increase food production, which is one of the most important elements in meeting the food needs of the developing countries; that, in this regard, sustained efforts at the national, regional and international levels should be pursued; and that the national food strategies, plans and programmes of developing countries should play a central role in the process of establishing priorities, in co-ordinating national and international funding and in the application of technology and human resources development, in order to promote food production and increase the national self-reliance of the developing countries;

6. *Welcomes* the positive efforts of developing countries for the development of their food and agricultural production, and calls upon the international community to provide effective support to those efforts;

7. *Emphasizes* the need for priority attention at the national, subregional, regional and international levels to the timely delivery of food to those requiring assistance, especially in African countries, and the need to assist recipient countries in developing and strengthening their logistic, transportation and administrative capacities, as well as internal distribution systems, and, that emergency food aid programmes should, whenever possible, procure supplies within the region;

8. *Appeals* to the international community to provide, as a matter of extreme urgency, the logistic agricultural inputs, and fulfil the unmet aid needs of the drought and famine-affected African countries;

9. *Notes with deep concern* the substantial decline in international market prices for agricultural commodities over the last five years, which, coupled with deteriorating terms of trade for commodity exporting countries, have had particularly serious effects on developing countries, and in this context calls for appropriate measures to overcome foreign exchange constraints, including measures to diversify and increase export earnings, and for continuous efforts for the conclusion of commodity agreements and arrangements, as appropriate, particularly within the framework of the Integrated Programme for Commodities, and agrees that efforts should continue in order to improve the effectiveness of appropriate export earning stabilization schemes and to seek agreement on more effective co-operation in international commodity policy, notably through the early entry into force of the Agreement Establishing the Common Fund for Commodities;²⁹

10. *Emphasizes* that the success of efforts of developing countries to solve their food and agricultural problems requires, as a major element, economic growth, which is severely constrained by, *inter alia*, the burden of external debt; and that, in accordance with recommendations of the World Food Council at its eleventh ministerial session, adjustment programmes for resolution of debt problems should take into account the food and social needs of the developing countries on a sustained and long-term basis;

11. *Stresses* the need to continue and to intensify the support for programmes and policies for increasing food and agricultural production and raising nutritional stand-

ards in developing countries, particularly in Africa and the least developed countries, and in this context urges the international community, particularly the developed countries, to take determined action, in support of the efforts of developing countries, to increase the flow of resources, particularly the concessional flow by, *inter alia*, increasing their contributions to multilateral agencies;

12. *Calls upon* the parties concerned urgently to achieve the conclusion of the negotiations on the second replenishment of the International Fund for Agricultural Development in the light of the broad agreement achieved at the seventh meeting of the consultation on the replenishment;

13. *Urges* developed countries to provide the International Development Association with the necessary financial resources, including, *inter alia*, supplementary financing, to enable it to cover any shortfall and to increase its assistance to developing countries, particularly in the development of food and agriculture;

14. *Recommends* that the International Wheat Council should continue to explore the possibilities of raising the minimum overall commitment under the Food Aid Convention to 10 million tons;

15. *Recommends* that the Committee on Trade in Agriculture of the General Agreement on Tariffs and Trade should continue, within its mandate, to accelerate to the greatest extent possible progress towards more operationally effective rules and disciplines for trade in agriculture, bearing in mind the concerns of all developing countries, including wider and more predictable access to markets;

16. *Urges* all countries to demonstrate the requisite political will by refraining from creating obstacles to agricultural imports, especially those from developing countries, and all exporting countries, particularly developed countries, to endeavour to limit export subsidies and analogous practices which might hinder trade, especially that of developing countries;

17. *Notes with satisfaction* paragraph 2 (e) of Trade and Development Board resolution 286 (XXVIII) of 6 April 1984,³⁰ in which the Board decided that, in the annual review of the problems of protectionism and structural adjustment, attention should be given to strengthening the participation of developing countries in agro-industrial production and trade and, in this regard, paragraph (g) of Board decision 310 (XXX) of 29 March 1985,³¹ in which the Board recommended that, in preparing the documentation for the annual review to be carried out at the thirty-second session of the Board, the secretariat of the United Nations Conference on Trade and Development should give particular attention to this question and special attention to the difficulties of the African and the least developed countries;

18. *Recognizes* the important contribution and potential of women in the development of the food and agricultural sectors and the need adequately to reward their contribution to those sectors, and urges Governments to ensure and enhance women's participation in the formulation and implementation of national food and agricultural policies, plans and projects;

19. *Recognizes* the importance of implementing famine prevention measures and, in this regard, welcomes the increased activity and proposed strengthening of the Global Information and Early Warning System in Food and Agriculture of the Food and Agriculture Organization of the United Nations, and emphasizes the importance of

²⁹ United Nations publication, Sales No. E.81.II.D.8.

³⁰ See *Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 15 (A/39/15)*, vol. I, part one, sect. II.A.

³¹ *Ibid.*, *Fortieth Session, Supplement No. 15 (A/40/15)*, vol. I, part one, sect. II.B.

establishing and improving national and regional early warning systems;

20. *Appreciates* the measures taken by the World Food Programme to ensure speedy and timely delivery of food aid as well as the development of an information system for the dissemination on a regular basis of all relevant information on food aid to facilitate planning and operational co-ordination;

21. *Urges* the donor community to provide the necessary financial support for the effective implementation of the programmes of action adopted by the FAO World Conference on Fisheries Management and Development;³²

22. *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 and, in this connection, notes that the Council, in its report to the General Assembly,³³ addressed the question of strengthening its effectiveness and other related issues, and expresses the hope that necessary action, as appropriate, will be taken in that regard;

23. *Stresses* the need to strengthen subregional, regional and interregional co-operation for the promotion of food security and the development of agriculture in developing countries and, in this context, calls upon the relevant entities of the United Nations system to accord priority support to economic and technical co-operation among developing countries in food and agriculture.

*119th plenary meeting
17 December 1985*

40/182. Charter of Economic Rights and Duties of States

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, which laid the foundations of the new international economic order,

Recalling also its resolution 37/204 of 20 December 1982 on the review of the implementation of the Charter of Economic Rights and Duties of States,

Recalling further its resolution 39/163 of 17 December 1984, in which it decided to establish an *Ad Hoc* Committee of the Whole to Review the Implementation of the Charter of Economic Rights and Duties of States,

1. *Takes note* of the report of the *Ad Hoc* Committee of the Whole to Review the Implementation of the Charter of Economic Rights and Duties of States;³⁴

2. *Urges* all States to examine further the implementation of the Charter of Economic Rights and Duties of

States, thereby contributing to the establishment of the new international economic order;

3. *Requests* the Secretary-General to submit to the General Assembly at its forty-fourth session, through the Economic and Social Council at its second regular session of 1989, a comprehensive and analytical report, in order to ensure systematic and comprehensive consideration of the implementation of the Charter of Economic Rights and Duties of States, in accordance with the provisions of article 34 thereof;

4. *Invites* the organs, organizations and bodies of the United Nations system to facilitate the implementation of the Charter of Economic Rights and Duties of States in their respective spheres of action.

*119th plenary meeting
17 December 1985*

40/183. Specific action related to the particular needs and problems of land-locked developing countries

The General Assembly,

Reiterating the specific actions related to the particular needs of the land-locked developing countries stated in United Nations Conference on Trade and Development resolutions 63 (III) of 19 May 1972,³⁵ 98 (IV) of 31 May 1976,³⁶ 123 (V) of 3 June 1979³⁷ and 137 (VI) of 2 July 1983³⁸ and Trade and Development Board resolution 319 (XXXI) of 27 September 1985,³⁹

Recalling the provisions of its resolutions 31/157 of 21 December 1976, 32/191 of 19 December 1977, 33/150 of 20 December 1978, 34/198 of 19 December 1979, 35/58 of 5 December 1980, 36/175 of 17 December 1981 and 39/209 of 18 December 1984 and other resolutions of the United Nations relating to the particular needs and problems of land-locked developing countries,

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

Recalling the relevant provisions of the International Development Strategy for the Third United Nations Development Decade,²²

Recalling the United Nations Convention on the Law of the Sea,⁴⁰ adopted on 10 December 1982,

Bearing in mind the report of the *Ad Hoc* Group of Experts to Study Ways and Means of Improving Transit-transport Infrastructures and Services for Land-locked Developing Countries,⁴¹

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

Noting with concern that the measures taken thus far have not adequately addressed the problems of land-locked developing countries,

1. *Reaffirms* the right of access of land-locked countries to and from the sea and freedom of transit

³² See Food and Agriculture Organization of the United Nations, *Report of the FAO World Conference on Fisheries Management and Development, Rome, 27 June-6 July 1984* (Rome, 1984).

³³ *Official Records of the General Assembly, Fortieth Session, Supplement No. 19 (A/40/19)*.

³⁴ *Ibid.*, Supplement No. 52 (A/40/52).

³⁵ See *Proceedings of the United Nations Conference on Trade and Development, Third Session, vol. I, Report and Annexes* (United Nations publication, Sales No. E.73.II.D.4), annex I.A.

³⁶ *Ibid.*, Fourth Session, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

³⁷ *Ibid.*, Fifth Session, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

³⁸ *Ibid.*, Sixth Session, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

³⁹ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 15 (A/40/15)*, vol. II, sect. I.

⁴⁰ *Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII* (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

⁴¹ *Official Records of the Trade and Development Board, Twenty-ninth Session, Annexes, agenda item 6, document TD/B/1002*.

through the territory of transit States by all means of transport, in accordance with article 125 of the United Nations Convention on the Law of the Sea;

2. *Appeals* to all States, international organizations and financial institutions to implement, as a matter of urgency and priority, the specific actions related to the particular needs and problems of land-locked developing countries envisaged in resolutions 63 (III), 98 (IV), 123 (V) and 137 (VI) of the United Nations Conference on Trade and Development, in the International Development Strategy for the Third United Nations Development Decade, in the Substantial New Programme of Action for the 1980s for the Least Developed Countries⁴² and in other relevant resolutions of the United Nations;

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

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

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

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

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

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

9. *Once again requests* Member States to transmit to the Secretary-General of the United Nations Conference on Trade and Development their views and comments on the report of the *Ad Hoc* Group of Experts to Study Ways and Means of Improving Transit-transport Infrastructures and Services for Land-locked Developing Countries;

10. *Welcomes* the report of the Secretary-General of the United Nations Conference on Trade and Development on progress in the implementation of specific action related to the particular needs and problems of land-locked developing countries,⁴³ submitted pursuant to resolution 39/209, and requests him to prepare another such

report for submission to the General Assembly at its forty-second session.

119th plenary meeting
17 December 1985

40/184. International code of conduct on the transfer of technology

The General Assembly,

Recalling its resolution 38/153 of 19 December 1983,

Taking note of the decision adopted on 5 June 1985 by the United Nations Conference on an International Code of Conduct on the Transfer of Technology, at its sixth session,⁴⁴ in which it requested the General Assembly to take the measures necessary for further action, including the possible reconvening of negotiations on an international code of conduct on the transfer of technology,

1. *Notes* that progress has been made in the negotiations on an international code of conduct on the transfer of technology but that there are still important problems outstanding;

2. *Further notes* that at the sixth session of the United Nations Conference on an International Code of Conduct on the Transfer of Technology, progress was made in identifying common ground, as well as divergences, in respect of the issues outstanding in chapter 4 of the draft code, on restrictive practices, and in chapter 9, on applicable law and settlement of disputes;

3. *Believes* that further work, continuing the genuine efforts made by all parties concerned, is required in the search for possible solutions to the outstanding issues in order to complete successfully the negotiations on a code of conduct;

4. *Invites* the Secretary-General of the United Nations Conference on Trade and Development and the President of the United Nations Conference on an International Code of Conduct on the Transfer of Technology to consult, as appropriate, with regional groups and Governments, taking into account the need for balanced geographical representation, with a view to identifying appropriate solutions to the issues outstanding in the code of conduct;

5. *Further invites* the Secretary-General of the United Nations Conference on Trade and Development to report to the General Assembly at its forty-first session on the progress made in the consultations referred to in paragraph 4 above and decides to take, at that session, further action on the negotiations on an international code of conduct on the transfer of technology.

119th plenary meeting
17 December 1985

40/185. 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

⁴² 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.

⁴³ A/40/815, annex.

⁴⁴ TD/CODE TOT/49, sect. IV.

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,

Reaffirming article 32 of the Charter of Economic Rights and Duties of States, which declares 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 and trade policies for development contained in its resolution 1995 (XIX) of 30 December 1964, United Nations Conference on Trade and Development resolution 152 (VI) of 2 July 1983³⁸ entitled "Rejection of coercive economic measures", and 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 to the General Agreement on Tariffs and Trade at their thirty-eighth session,⁴⁵

Reaffirming its resolutions 38/197 of 20 December 1983 and 39/210 of 18 December 1984,

Taking note of the report of the Secretary-General on the effects of economic measures taken by developed countries for coercive purposes, including their impact on international economic relations,⁴⁶ and considering that further work should be undertaken in order to implement resolutions 38/197 and 39/210,

Gravely concerned that the use of coercive measures adversely affects the economies and development efforts of developing countries and that, in some cases, those measures have been intensified, creating a negative impact on international economic co-operation,

1. *Deplores* the fact that some developed countries continue to apply and, in some cases, have increased the scope and magnitude of economic measures that have the purpose of exerting, directly or indirectly, coercion on the sovereign decisions of developing countries subject to those measures;

2. *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 and bilaterally, against developing countries as a form of political and economic coercion which affects their economic, political and social development;

3. *Requests* the Secretary-General to prepare a comprehensive, in-depth report on the economic measures mentioned in paragraph 2 above, taken by developed countries for coercive purposes, including their impact on international economic relations, with a view to appraising the economic effects of such measures on the development and development prospects of affected developing countries and with a view to assisting in concrete international action against those measures, and to submit that report to the General Assembly at its forty-first session;

4. *Also requests* the Secretary-General, in preparing the comprehensive in-depth report, to request further comments from Governments and inputs from competent organizations of the United Nations system, particularly the United Nations Conference on Trade and Development, the regional commissions and those specialized

agencies that have received information on the application of economic coercive measures against developing countries;

5. *Appeals* to Governments and to the pertinent international organizations to provide the necessary information to the Secretary-General, as requested in paragraph 4 above.

*119th plenary meeting
17 December 1985*

40/186. Preferential Trade Area for Eastern and Southern African States

The General Assembly,

Recalling its resolutions 3362 (S-VII) of 16 September 1975 on development and international economic co-operation and 36/180 of 17 December 1981, in which the international community was invited to apply special measures for the social and economic development of Africa in the 1980s,

Recalling also its resolution 37/139 of 17 December 1982, in which it, *inter alia*, called upon donor Governments and organs, organizations and bodies of the United Nations system to provide substantial resources for promoting the accelerated development of African countries and the effective implementation of the Lagos Plan of Action for the Implementation of the Morrovia Strategy for the Economic Development of Africa,⁴⁷ and the Final Act of Lagos,⁴⁸

Appreciating in this regard the establishment of the Preferential Trade Area for Eastern and Southern African States in December 1981,

Noting the progress made in the reduction of tariffs among member States to stimulate growth and development in the area, in the launching of clearance and payments arrangements and in the measures taken to intensify co-operation among member States in the agricultural, industrial, educational, cultural and other sectors, with a view to creating an economic community of the eastern and southern African States by the year 1992,

1. *Invites* donor Governments to provide substantial financial and technical assistance to the Preferential Trade Area for Eastern and Southern African States to accelerate its development into an economic community;

2. *Invites also* the United Nations Development Programme to continue to make resources available to the Preferential Trade Area from its regional indicative planning figures on an urgent basis;

3. *Calls upon* international financial institutions, particularly the World Bank, the International Development Association, the International Fund for Agricultural Development and the African Development Bank, to provide immediate assistance to the Preferential Trade Area;

4. *Invites* the organs, organizations and bodies of the United Nations system to take into account in their work programmes co-operation with the Preferential Trade Area;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

⁴⁵ See General Agreement on Tariffs and Trade, *Basic Instruments and Selected Documents, Twenty-ninth Supplement* (Sales No. GATT/1983-1), document L/5424.

⁴⁶ A/40/596.

⁴⁷ A/S-11/14, annex I.

⁴⁸ *Ibid.*, annex II.

40/187. United Nations Conference on Conditions for Registration of Ships

The General Assembly,

Recalling its resolutions 37/209 of 20 December 1982, 39/213 A of 18 December 1984 and 39/213 B of 12 April 1985,

Recognizing the very substantial progress achieved by the United Nations Conference on Conditions for Registration of Ships during the third part of its session held from 8 to 19 July 1985, in particular with respect to the crucial issues before the Conference,

Recognizing that there is a need to resume once again the Conference, this time for a period of three weeks, in order to enable it to complete its work,

1. *Endorses* resolution 3 of 19 July 1985 of the United Nations Conference on Conditions for Registration of Ships;⁴⁹

2. *Decides* to reconvene the Conference for the fourth part of its session at Geneva for a period of three weeks from 20 January to 7 February 1986;

3. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to make all the necessary arrangements for holding the fourth part of the session of the United Nations Conference on Conditions for Registration of Ships;

4. *Also requests* the Secretary-General of the United Nations Conference on Trade and Development to report on the outcome of the United Nations Conference on Conditions for Registration of Ships to the General Assembly at its forty-first session.

*119th plenary meeting
17 December 1985*

40/188. Trade embargo against Nicaragua

The General Assembly,

Recalling the relevant purposes and principles set forth in the Charter of the United Nations,

Reaffirming the fundamental principles that govern relations among the States of the international community,

Recalling the Universal Declaration of Human Rights,¹⁸

Recalling Security Council resolution 562 (1985) of 10 May 1985,

Recalling also General Assembly resolution 2625 (XXV) of 24 October 1970, in particular the principle concerning the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter of the United Nations,

Reaffirming that each country has the sovereign right to choose its own development policies and strategies,

Recalling all relevant articles of the General Agreement on Tariffs and Trade,

Recalling also General Assembly resolution 39/4 of 26 October 1984, in which the Assembly encouraged the efforts of the Contadora Group and all interested States, in particular those with ties to and interests in the region, to respect fully the purposes and principles of the Contadora Act on Peace and Co-operation in Central America of 7 September 1984,⁵⁰

Concerned that the unilateral trade embargo and other measures imposed on Nicaragua on 1 May 1985, which have been extended and broadened as from 1 November

1985, adversely affect the economy of the country, specifically its trade, and consequently its development plans,

Deeply concerned that the said measures will not contribute to the economic and social development of Nicaragua and to the goals and objectives of the Contadora process,

Recalling the widespread concern expressed by the international community about the situation in Central America, aggravated by the trade embargo against Nicaragua,

Considering that the international community is unanimous in contributing to the economic and social progress of the countries of the area and to the reinforcing of the process of economic integration of the area, in order to contribute to the quest for a negotiated political solution to the regional crisis,

Reaffirming the sovereignty and inalienable right of Nicaragua and the rest of the States in the region to decide freely on their own political, economic and social systems, to develop their international relations according to their peoples' interests, free from outside interference, subversion, direct or indirect coercion or threats of any kind,

Deeply concerned that the said trade embargo jeopardizes the principles of free trade and non-discrimination that should prevail among nations,

1. *Regrets* the recent trade embargo and other measures imposed against Nicaragua and requests that those measures be immediately revoked;

2. *Invites* all States to promote and take concrete actions of co-operation in the economic and technological spheres in Central America, in particular to help reduce the negative effects of the trade embargo and other measures imposed against Nicaragua and to contribute to economic and social development and to regional economic integration;

3. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

40/189. Report of the Trade and Development Board

The General Assembly,

Recalling its resolution 1995 (XIX) of 30 December 1964, as amended,⁵¹ on the establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly, and 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,

Mindful of the forthcoming seventh session of the United Nations Conference on Trade and Development, to take place in 1987, which constitutes a major opportunity for progress in key issues in the field of international trade and related areas of international economic co-operation for development,

Noting that the *Trade and Development Report, 1985*⁵²

⁴⁹ TD/RS/CONF/19, annex II.

⁵⁰ Official Records of the Security Council, Thirty-ninth Year, Supplement for July, August and September 1984, document S/16775, annex.

⁵¹ See resolutions 2904 (XXVII), 31/2 A and B, and 34/3.

⁵² United Nations publication, Sales No. E.85.II.D.16.

has made a constructive contribution to the examination by the Trade and Development Board, at its thirty-first session, of the world economic situation and its future prospects,

1. *Takes note* of the report of the Trade and Development Board on the work of its thirtieth, fourteenth special and thirty-first sessions;⁵³

2. *Requests* the United Nations Conference on Trade and Development to continue and intensify its important contribution and the role it has been playing in the revitalization and strengthening of international trade and related areas of international economic co-operation for development;

3. *Calls upon* all Governments and the relevant international organizations to commence intensive and thorough preparations for the seventh session of the United Nations Conference on Trade and Development.

*119th plenary meeting
17 December 1985*

40/190. 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, 37/205 of 20 December 1982 and 38/143 of 19 December 1983 on particular problems facing Zaire with regard to transport, transit and access to foreign markets, and approving the organization in 1985 of a second round-table meeting with donor countries and financing institutions for Zaire's projects in these three fields,

Recalling resolution 110 (V) of 3 June 1979, of the United Nations Conference on Trade and Development,⁵⁷

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,⁵⁴

Bearing in mind the report of the Secretary-General on the outcome of the first round-table meeting on the financing of the transport projects of Zaire, held at Kinshasa on 28 and 29 June 1983,⁵⁵

1. *Requests* the Secretary-General to take the necessary steps to ensure that the programme submitted to the first round-table meeting on the financing of the transport projects of Zaire, held in 1983, as updated, is again submitted to donors and financial institutions before the forty-first session of the General Assembly, through a second round-table meeting or any other appropriate mechanism;

2. *Also requests* the Secretary-General to submit to the General Assembly at its forty-first session a report on the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

40/191. Reverse transfer of technology

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, 3281 (XXIX) of 12 December 1974, 3362 (S-VII) of 16 September 1975, 35/56 of 5 December 1980 and the resolutions on the reverse transfer of technology,

Continuing to believe that since the outflow of skilled personnel from developing countries seriously hampers their development, there is an urgent need to formulate national and international policies to avoid the "brain drain" and to obviate its adverse effects,

Convinced that the search for durable solutions to the problem of the reverse transfer of technology requires the full participation of all parties concerned,

1. *Takes note* of the report of the Inter-Agency Group on Reverse Transfer of Technology, covering meetings held at Geneva on 24 and 25 June 1985;⁵⁶

2. *Takes note also* of the outcome of the Third Meeting of Governmental Experts on the Reverse Transfer of Technology, held at Geneva from 26 August to 4 September 1985;⁵⁷

3. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to convene a meeting of governmental experts to review the current situation with respect to all aspects of the international migration of skilled personnel from developing countries; the governmental experts should focus, in their study, on the nature, scale and effect of such flows, taking into account the concerns of all parties, with a view to proposing to the Conference and, as appropriate, other international organizations, further work that they may carry out to mitigate adverse consequences of this phenomenon, especially as it affects the developing countries, also taking into account, as appropriate, the work done thus far by governmental expert groups, and any other relevant material;

4. *Also requests* the Secretary-General of the United Nations Conference on Trade and Development to prepare studies providing:

(a) A review of the existing situation with respect to the international migration of skilled personnel from developing countries based on the most recently available and generally acceptable statistics;

(b) A comprehensive bibliography of current literature in this field;

5. *Recommends* that the Secretary-General of the United Nations Conference on Trade and Development should invite all interested organs and bodies of the United Nations system and other appropriate international organizations to participate in the preparation of the studies and in the work of the meeting of governmental experts;

6. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to report on the outcome of the meeting of governmental experts to the General Assembly at its forty-second session, through the Trade and Development Board;

7. *Requests* the Secretary-General to convene further meetings of the Inter-Agency Group on Reverse Transfer

⁵³ *Official Records of the General Assembly, Fortieth Session, Supplement No. 15 (A/40/15), vols. I and II.*

⁵⁴ *See Official Records of the Economic and Social Council, Sixty-third Session, Supplement No. 7, vol. I (E/5941), part three.*

⁵⁵ A/38/264/Add.1-E/1983/90/Add.1.

⁵⁶ A/40/798, annex.

⁵⁷ *Official Records of the General Assembly, Fortieth Session, Supplement No. 15 (A/40/15), vol. II, annex III.*

of Technology and to report on the results of those meetings to the General Assembly at its forty-second session.

*119th plenary meeting
17 December 1985*

40/192. United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices

The General Assembly,

Having considered the report of the United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, held at Geneva from 4 to 15 November 1985, together with the proposals made by regional groups,⁵⁸

Invites the Secretary-General of the United Nations Conference on Trade and Development and the President of the United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices to undertake consultations, as appropriate, with regional groups and Governments on the reconvening of the Conference at Geneva and to report thereon to the General Assembly at the earliest opportunity.

*119th plenary meeting
17 December 1985*

40/193. Report of the Intergovernmental Committee on Science and Technology for Development

The General Assembly,

Recalling the Vienna Programme of Action on Science and Technology for Development⁵⁹ and General Assembly resolution 34/218 of 19 December 1979,

Noting that the Intergovernmental Committee on Science and Technology for Development, at its seventh session, considered as a substantive theme the question of information systems for science and technology for development,⁶⁰ and noting the conclusion, in Committee resolution 1 (VII) of 7 June 1985,⁶¹ that the setting up and strengthening of national information systems and networks should form the major activity in the process of development of a global information network,

Noting further the mid-decade review of the implementation of the Vienna Programme of Action conducted by the Committee⁶² and its decision, in its resolution 4 (VII) of 7 June 1985,⁶¹ to undertake a comprehensive review in 1989,

1. *Takes note* of the report of the Intergovernmental Committee on Science and Technology for Development on its seventh session;⁶³

2. *Endorses* the resolutions and decisions contained therein.

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17 December 1985*

⁵⁸ For the proposals see A/C.2/40/12, annex. The report of the Conference was issued as document TD/RBP/CONF.2/8 and Corr.1.

⁵⁹ *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.

⁶⁰ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 37 (A/40/37)*, sect. III.B.

40/194. United Nations Financing System for Science and Technology for Development

The General Assembly,

Taking note with interest of the report of the Secretary-General on the United Nations Financing System for Science and Technology for Development⁶⁴ and on the financial and institutional structure of the System for the next three years, as called for under resolution 6 (VII) of 7 June 1985 of the Intergovernmental Committee on Science and Technology for Development,⁶¹

Regretting that the current resource outlook of the Financing System does not at this time permit the full implementation of the long-term financial and institutional arrangements set out in General Assembly resolution 37/244 of 21 December 1982,

Expressing its appreciation for the contribution which the Financing System has made, despite its meagre financial base, to enhancing science and technology capabilities in developing countries as called for in the Vienna Programme of Action on Science and Technology for Development⁵⁹ and in General Assembly resolution 34/218 of 19 December 1979,

Emphasizing the importance of continuing the operational activities of the Financing System,

1. *Requests* the Secretary-General to review the recommendations contained in his report on the United Nations Financing System for Science and Technology for Development in the light of comments made by Governments during the fortieth session of the General Assembly, to hold informal consultations with Governments early in 1986 to arrive at final proposals and to transmit the resulting proposals to Governments by 1 March 1986;

2. *Also requests* the Secretary-General to convene by 30 April 1986 a Pledging Conference for the United Nations Financing System for Science and Technology for Development to enable Governments to pledge resources for 1986 and to give indications of intent to provide other resources for 1986 and the following years;

3. *Further requests* the Secretary-General to take all steps necessary to bring about a successful outcome of the pledging conference;

4. *Decides* that, to maintain a viable level of operations, the total resources made available to the Financing System in 1986 should be sufficient to permit a level of operations not less than the average level achieved by the System over the past three years,⁶⁵ and which would result in a reasonable balance between core and non-core resources;

5. *Decides further* that, should the amounts realized for 1986 fall below this level, the Secretary-General should report on the results of the pledging conference, together with his views on the future of the Financing System, including its orderly termination, to the Intergovernmental Committee on Science and Technology for Development at its eighth session;

6. *Requests* the Administrator of the United Nations Development Programme to bring this matter to the attention of the Governing Council of the Programme at its thirty-third session with a view to seeking authorization to carry out possible new responsibilities that may be assigned to the Programme with regard to the Financing System, including the provision of such administrative

⁶¹ *Ibid.*, Supplement No. 37 (A/40/37), annex.

⁶² *Ibid.*, Supplement No. 37 (A/40/37), sect. III.C.

⁶³ *Ibid.*, Supplement No. 37 (A/40/37).

⁶⁴ A/C.2/40/4.

⁶⁵ Approximately \$10 million.

support for specific functions and/or posts as may be required;

7. *Urges* Governments to make every effort to provide the maximum support possible for the financing and operations of the Financing System.

*119th plenary meeting
17 December 1985*

40/195. Co-operation between the United Nations and the Southern African Development Co-ordination Conference

The General Assembly,

Recalling its resolutions 37/248 of 21 December 1982, 38/160 of 19 December 1983 and 39/215 of 18 December 1984, by which it, *inter alia*, requested the Secretary-General to promote co-operation between the organs, organizations and bodies of the United Nations system and the Southern African Development Co-ordination Conference and urged intensification of contacts in order to accelerate the achievement of the objectives of the Lusaka Declaration of 1 April 1980, by which the Conference was established,⁶⁶

Having considered the report of the Secretary-General on co-operation between the United Nations and the Southern African Development Co-ordination Conference,⁶⁷

Noting the significant progress made by the Conference in formulating concrete development programmes, and that most of these are at the implementation stage,

Recognizing that successful implementation of these programmes can be achieved only if the Conference has adequate resources at its disposal,

Deeply concerned about the deteriorating economic and security situation in southern Africa and the particularly difficult environment for regional co-operation caused by acts of destabilization by South Africa,

Convinced that increased self-reliance by States members of the Conference would contribute to the struggle against the *apartheid* policies of South Africa,

Welcoming the progress made by some organs, organizations and bodies of the United Nations system in formulating and executing co-operation programmes with the Conference,

1. *Takes note* of the report of the Secretary-General on co-operation between the United Nations and the Southern African Development Co-ordination Conference, which describes the progress made in the implementation of the relevant resolutions of the General Assembly;

2. *Commends* the Member States and organs, organizations and bodies of the United Nations system that have established contacts with and extended concrete assistance to the Conference;

3. *Appeals* to the international community to increase substantially its financial and material support to the Conference;

4. *Also appeals* to the specialized agencies and other organs and organizations of the United Nations system to co-operate fully in the development programmes of the Conference;

5. *Requests* the Secretary-General, in consultation with the Executive Secretary of the Conference, to continue and intensify contacts aimed at promoting and harmonizing co-operation between the United Nations and the Conference;

6. *Also requests* the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

40/196. Technical co-operation among 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,

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 33/134 of 19 December 1978, in which it endorsed the Buenos Aires Plan of Action for Promoting and Implementing Technical Co-operation among Developing Countries,⁶⁸ and its resolutions 34/117 of 14 December 1979 and 35/202 of 16 December 1980 on technical co-operation among developing countries,

Reaffirming that developing countries have the primary responsibility for promoting technical co-operation among themselves, that developed countries and the United Nations system should assist and support such activities, and that in addition the United Nations system should play a prominent role as promoter and catalyst of technical co-operation among developing countries, in accordance with the Buenos Aires Plan of Action,

Taking note of the report of the Secretary-General on economic and technical co-operation among developing countries,⁶⁹

Having considered the report of the High-level Committee on the Review of Technical Co-operation among Developing Countries,⁷⁰

Taking note with appreciation of the relevant decisions of the Governing Council of the United Nations Development Programme,⁷¹

Taking note of the report of the Joint Inspection Unit on United Nations development system support to the implementation of the Buenos Aires Plan of Action⁷² and the comments of the Administrative Committee on Co-ordination thereon,⁷³

1. *Endorses* the decisions of the High-level Committee on the Review of Technical Co-operation among Developing Countries;⁷⁴

2. *Invites* the Governing Council of the United Nations Development Programme to give adequate and

⁶⁶ See A/38/493, annex I.

⁶⁷ A/40/579 and Corr.1.

⁶⁸ Report of the United Nations Conference on Technical Co-operation among Developing Countries, Buenos Aires, 30 August-12 September 1978 (United Nations publication, Sales No. E.78.II.A.11, and corrigendum), chap. I.

⁶⁹ A/40/581.

⁷⁰ Official Records of the General Assembly, Fortieth Session, Supplement No. 39 (A/40/39).

⁷¹ See Official Records of the Economic and Social Council, 1985, Supplement No. 11 (E/1985/32 and Corr.1), annex I.

⁷² See A/40/656.

⁷³ A/40/656/Add.1.

⁷⁴ See Official Records of the General Assembly, Fortieth Session, Supplement No. 39 (A/40/39), annex I.

timely attention, preferably during its special session to be held from 19 to 22 February 1986, to relevant decisions of the High-level Committee, including decision 4/7 of 5 June 1985;⁷⁴

3. *Recognizes* the necessity for programmes of technical co-operation among developing countries to be fully integrated into the operational activities for development of the United Nations system;

4. *Takes note* of the recommendations of the Joint Inspection Unit on United Nations development system support to the implementation of the Buenos Aires Plan of Action for Promoting and Implementing Technical Co-operation among Developing Countries;

5. *Requests* the organizations of the United Nations system to take the necessary action, in their respective fields of activity, to ensure the implementation of the decisions of the High-level Committee;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

40/197. 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, 37/215 of 20 December 1982, 38/162 of 19 December 1983 and 39/167 of 17 December 1984 concerning the problem of remnants of war,

Recalling also decisions 80 (IV) of 9 April 1976,⁷⁵ 101 (V) of 25 May 1977,⁷⁶ 9/5 of 25 May 1981⁷⁷ and 10/8 of 28 May 1982⁷⁸ 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 1976,⁷⁹ and resolution 26/11-P adopted by the Eleventh Islamic Conference of Foreign Ministers, held at Islamabad from 17 to 22 May 1980,⁸⁰

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, including mines, in the territories of developing countries seriously impedes their development efforts and causes loss of life and property,

1. *Takes note* of the report of the Secretary-General on the problem of remnants of war;⁸¹

2. *Requests* the Secretary-General, in co-operation with the Executive Director of the United Nations Environment Programme, to continue his efforts with the countries responsible for planting the mines and the affected developing countries in order to ensure the implementation of the relevant resolutions;

3. *Requests* the Secretary-General to submit to the General Assembly at its forty-second session a detailed

and comprehensive report on the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

40/198. Plan of Action to Combat Desertification

A

IMPLEMENTATION AND FINANCING OF THE PLAN OF ACTION

The General Assembly,

Recalling its resolution 32/172 of 19 December 1977, by which it approved the Plan of Action to Combat Desertification,¹⁴

Recalling also its resolutions 33/89 of 15 December 1978, 34/184 of 18 December 1979, 36/191 of 17 December 1981, 37/220 of 20 December 1982 and 38/163 of 19 December 1983, dealing with the implementation and financing of the Plan of Action to Combat Desertification,

Recalling further the Declaration on the Critical Economic Situation in Africa, adopted by the General Assembly in its resolution 39/29 of 3 December 1984,

Noting with dismay and grave concern the continuing spread and intensification of desertification in developing countries, especially in Africa, and the grave human suffering, economic losses and social disruption caused by this phenomenon,

Having considered the report of the Governing Council of the United Nations Environment Programme on the work of its thirteenth session⁸² and decision 13/30 A of 23 May 1985 of the Governing Council⁸³ on the implementation of the Plan of Action to Combat Desertification,

Having also considered the report of the Secretary-General on financing the Plan of Action to Combat Desertification,⁸⁴

1. *Takes note* of decision 13/30 A of the Governing Council of the United Nations Environment Programme;

2. *Shares* the concern of the Governing Council over the slow implementation of the Plan of Action to Combat Desertification;

3. *Urges* Governments, organizations of the United Nations system and other intergovernmental bodies to intensify their efforts in combating desertification and to accord the highest priority to actions recommended in the Plan of Action and decision 13/30 A of the Governing Council;

4. *Notes* the significant role that non-governmental organizations are playing in the anti-desertification efforts, and calls upon Governments and organizations of the United Nations system and other intergovernmental bodies to explore all opportunities of involving them more in this effort;

5. *Urges* the international community to increase its assistance to the countries concerned with a view to the implementation of their national and regional programmes aimed at desertification control;

6. *Endorses* the Governing Council's invitation to the Executive Director of the United Nations Environment Programme to consult with the principal international

⁷⁵ *Ibid.*, Thirty-first Session, Supplement No. 25 (A/31/25), annex I.

⁷⁶ *Ibid.*, Thirty-second Session, Supplement No. 25 (A/32/25), annex I.

⁷⁷ *Ibid.*, Thirty-sixth Session, Supplement No. 25 (A/36/25 and Corr.1), annex I.

⁷⁸ *Ibid.*, Thirty-seventh Session, Supplement No. 25 (A/37/25), part two, annex.

⁷⁹ See A/31/197, annex IV, sect. B.

⁸⁰ See A/35/419-S/14129, annex I.

⁸¹ A/40/650.

⁸² *Official Records of the General Assembly, Fortieth Session, Supplement No. 25 (A/40/25).*

⁸³ *Ibid.*, annex.

⁸⁴ A/40/644.

organizations which are funding desertification control activities in order to ascertain how the Programme can facilitate funding activities, and to recommend measures to enhance co-operation in this field;

7. *Urges* Governments of countries affected by desertification to accord sustained priority to medium-term and long-term strategies and programmes for combating desertification and to ensure that these are smoothly integrated with their national development plans and regional co-operative programmes to curb the spread of environmental degradation;

8. *Notes* the measures approved by the Governing Council of the United Nations Environment Programme in its decision 13/30 A,⁸⁵ to enhance the work of the Inter-Agency Working Group on Desertification and calls upon all members of the Working Group to intensify their joint efforts for the effective implementation of the Plan of Action;

9. *Requests* the Governing Council of the United Nations Environment Programme to report to the General Assembly at its forty-second session, through the Economic and Social Council, on the progress made in the implementation of the Plan of Action;

10. *Takes note* of the report of the Secretary-General on financing the Plan of Action to Combat Desertification;

11. *Notes* the dearth of reactions and replies on the measures for providing additional resources needed for financing the Plan of Action recommended in the three reports prepared by high-level financial experts convened by the Executive Director in accordance with General Assembly resolution 32/172;⁸⁵

12. *Considers* that the expert studies deserve further consideration and requests the Executive Director of the United Nations Environment Programme to take due account of them under his responsibility with respect to the implementation of the Plan of Action, as well as within the framework of the mandate of the Consultative Group on Desertification Control;

13. *Requests* the Secretary-General to report to the General Assembly at its forty-second session, through the Economic and Social Council, on the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

B

IMPLEMENTATION IN THE SUDANO-SAHELIAN REGION OF THE PLAN OF ACTION

The General Assembly,

Recalling its resolutions 36/190 of 17 December 1981, 37/216 of 20 December 1982, 38/164 of 19 December 1983, and 39/168 of 17 December 1984,

Noting decision 13/30 B of 23 May 1985 of the Governing Council of the United Nations Environment Programme⁸⁵ on the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification,

Noting also Economic and Social Council resolutions 1984/65 of 26 July 1984 on the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification, and 1984/72 of 27 July 1984 on environment and development in Africa,

Considering the report of the Executive Director of the United Nations Environment Programme on the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification,⁸⁶

Considering also the report of the Secretary-General on the critical situation of food and agriculture in Africa, 1984-1985,⁸⁷

1. *Takes note* of the report of the Executive Director of the United Nations Environment Programme on the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification;

2. *Notes with concern:*

(a) The damage wrought by drought on the countries of Africa south of the Sahara;

(b) That insufficient financial resources continue to be a serious constraint in combating desertification;

(c) That the struggle against desertification requires financial and human resources beyond the means of the affected countries;

3. *Notes with satisfaction* the progress that the United Nations Sudano-Sahelian Office has made in the face of these obstacles in assisting, on behalf of the United Nations Environment Programme, the Governments of the countries of the region in combating desertification, under a joint venture between the United Nations Environment Programme and the United Nations Development Programme;

4. *Endorses* the decision of the Governing Council of the United Nations Environment Programme to add the United Republic of Tanzania to the list of countries to be assisted by the United Nations Sudano-Sahelian Office in their efforts to implement the Plan of Action to Combat Desertification, contained in Council decision 13/30 B;⁸³

5. *Commends* the Executive Director of the United Nations Environment Programme and the Administrator of the United Nations Development Programme for the effective and co-ordinated manner in which they have continued to develop the joint venture through the United Nations Sudano-Sahelian Office;

6. *Recommends* the Governing Council of the United Nations Environment Programme and the Governing Council of the United Nations Development Programme to continue and increase their 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 and adjacent regions;

7. *Expresses its gratitude* to the Governments, specialized agencies, other intergovernmental organizations and all organizations that have contributed to the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification;

8. *Draws the attention* of the international community to the need to increase the efforts to implement the Plan of Action in the Sudano-Sahelian region and urges it to contribute to this implementation through appropriate means, including the United Nations Trust Fund for Sudano-Sahelian Activities, as well as to respond favourably to requests for assistance from the Governments of the countries of the region;

9. *Recommends* the Governing Council of the United Nations Environment Programme to make the necessary arrangements, in conformity with General Assembly resolution 39/217 of 18 December 1984, for submitting to the Assembly, through the Economic and Social Council, a

⁸⁵ UNEP/GC.6/9/Add.1, A/35/396, A/36/141.

⁸⁶ UNEP/GC.13/7/Add.1.

⁸⁷ A/40/329-E/1985/80.

report on the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification.

*119th plenary meeting
17 December 1985*

40/199. Co-operation between the United Nations Centre for Human Settlements (Habitat) and the United Nations Environment Programme

The General Assembly,

Recalling its resolutions 32/162 of 19 December 1977 and 35/77 B of 5 December 1980,

Having considered resolution 8/14 adopted by the Commission on Human Settlements on 8 May 1985⁸⁸ and decision 13/12 adopted by the Governing Council of the United Nations Environment Programme on 23 May 1985,⁸³

Decides to discontinue the annual meetings of the Executive Director of the United Nations Centre for Human Settlements (Habitat) and the bureau of the Commission on Human Settlements with the Executive Director of the United Nations Environment Programme and the bureau of its Governing Council.

*119th plenary meeting
17 December 1985*

40/200. International co-operation in the field of the environment

The General Assembly,

Recognizing the international dimension of environmental problems, the role of environmental factors in the broader economic and social context, and the importance of taking environmental considerations fully into account in the implementation of the International Development Strategy for the Third United Nations Development Decade,²²

Having considered the report of the Governing Council of the United Nations Environment Programme on the work of its thirteenth session,⁸²

Having considered also the report of the Executive Director of the United Nations Environment Programme on international conventions and protocols in the field of the environment,⁸⁹

Noting with deep concern that the harmful consequences of the drought and desertification seriously affecting many countries, in particular African countries, are exacerbated by the continued erosion of the resource base for the development of those countries,

Reaffirming the importance of the interrelationships between resources, environment, people and development, and the need to take those interrelationships into account in development policies and strategies,

Stressing the importance of an international exchange of experience and knowledge concerning the protection of the environment,

Noting the activity of the United Nations Environment Programme on the subject "The arms race and the environment", in accordance with its programme of work as adopted by the General Assembly, the Economic and Social Council and the Governing Council of the United Nations Environment Programme,

Mindful of the sovereign rights of States over their natural resources, including their forests,

Noting also the activities of the United Nations and other international organizations, as well as the international initiatives being taken that are directed towards the important objective of rational management, protection and rehabilitation of the world's forests,

Recalling its resolution 38/161 of 19 December 1983 on the process of preparation of the Environmental Perspective to the Year 2000 and Beyond,

1. *Takes note of the report of the Governing Council of the United Nations Environment Programme on the work of its thirteenth session and endorses the decisions contained therein,⁸² as adopted;*

2. *Welcomes the decision of the Governing Council to change to a biennial cycle of sessions on an experimental basis and in this regard takes note of the establishment of the open-ended Committee of Permanent Representatives to facilitate this process;⁹⁰*

3. *Invites the Governing Council, when reviewing the experiment with the organization of a biennial work programme, to consider changes that may in consequence be necessary in the functioning of the Council, including the term of membership;*

4. *Welcomes section III of decision 13/1 of 23 May 1985,⁸³ and decision 13/10 of 24 May 1985⁸³ by which the Governing Council initiated steps towards the preparation of the system-wide medium-term environment programme for the period 1990-1995 and invited the Administrative Committee on Co-ordination to review and further develop the methodology in the light of the experience gained in the system-wide medium-term environment programme for the period 1984-1989;*

5. *Takes note of the work done by the Special Commission on the Environmental Perspective to the Year 2000 and Beyond, which has adopted the name World Commission on Environment and Development, and by the Intergovernmental Inter-sessional Preparatory Committee on the Environmental Perspective to the Year 2000 and Beyond in the preparation of their reports, and recalls the relationship between the Commission and the Committee, as set out in General Assembly resolution 38/161;*

6. *Takes note of the progress on international conventions and protocols in the field of the environment during 1985, including the adoption of the Vienna Convention for the Protection of the Ozone Layer and of an international protocol to the 1979 Convention on Long-range Transboundary Air Pollution, on sulphur emissions and fluxes, and the organization of the first meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals;*

7. *Considers that measures to deal with the erosion of the natural resource base in countries affected by drought and desertification should have as one of their major aims the sustainable exploitation and increased productivity of that natural resource base;*

8. *Welcomes the importance attached by the Governing Council to regional approaches and programmes relating to international co-operation in the field of the environment, and in this context stresses the relevance of specific regional planning identified by the regions themselves;*

9. *Notes with appreciation the convening of the first African Ministerial Conference on the Environment at Cairo from 16 to 18 December 1985;*

⁸⁸ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 8 (A/40/8 and Corr.1), annex I, sect. A.*

⁸⁹ UNEP/GC.13/10.

⁹⁰ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 25 (A/40/25), annex, decision 13/2.*

10. *Calls upon* the Executive Director of the United Nations Environment Programme to co-ordinate further the activities of the Programme with those of other organizations of the United Nations system, to co-operate appropriately with the organizers of the international initiatives on the future of the forests, and to report thereon to the Governing Council;

11. *Reaffirms* the need to strengthen the co-ordinating 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 the international organizations concerned, to accelerate and intensify his efforts in that field;

12. *Expresses its appreciation* to the Governments that continue to contribute to the Fund of the United Nations Environment Programme, particularly those that have increased their contributions, and urges those Governments that have not yet paid their pledged contributions to the Fund for 1985 or made pledges for 1986 to do so in the near future.

119th plenary meeting
17 December 1985

40/201. Living conditions of the Palestinian people in the occupied Palestinian territories

The General Assembly,

Recalling the Vancouver Declaration on Human Settlements, 1976,⁹¹ and the relevant recommendations for national action⁹² adopted by Habitat: United Nations Conference on Human Settlements,

Recalling also its resolution 39/169 of 17 December 1984,

Taking note of Commission on Human Settlements resolution 8/3 of 10 May 1985,⁸⁸

Gravely alarmed by the continuation of the Israeli settlement policies, which have been declared null and void and a major obstacle to peace,

Recognizing the need to identify priority development projects needed for improving the living conditions of the Palestinian people in the occupied Palestinian territories,

1. *Takes note with concern* of the report of the Secretary-General on the living conditions of the Palestinian people in the occupied Palestinian territories;⁹³

2. *Takes note also* of the statement made on 25 October 1985 by the observer of the Palestine Liberation Organization;⁹⁴

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, as a result of the Israeli occupation, in the living conditions of the Palestinian people in the Palestinian territories occupied since 1967;

5. *Affirms* that the Israeli occupation is contradictory to the basic requirements for the social and economic

⁹¹ 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.

⁹² *Ibid.*, chap. II.

⁹³ A/40/373-E/1985/99.

development of the Palestinian people in the occupied Palestinian territories;

6. *Requests* the Secretary-General:

(a) To organize, by April 1987, a seminar on priority development projects needed for improving the living conditions of the Palestinian people in the occupied Palestinian territories, including a comprehensive general housing programme, as recommended in resolution 8/3 of the Commission on Human Settlements;

(b) To make the necessary preparations for the seminar, providing for the participation of the Palestine Liberation Organization;

(c) To invite experts to present papers to the seminar;

(d) To invite also relevant intergovernmental and non-governmental organizations;

(e) To report to the General Assembly at its forty-first session, through the Economic and Social Council, on the preparations for the seminar;

(f) To report to the General Assembly at its forty-second session, through the Economic and Social Council, on the seminar.

119th plenary meeting
17 December 1985

40/202. 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, 3231 (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,

Conscious of the very substantial gap between the resources available through voluntary contributions to the United Nations Centre for Human Settlements (Habitat) and the needs of developing countries requesting assistance from the Centre,

Having considered the report of the Commission on Human Settlements on the work of its eighth session,⁹⁵

1. *Takes note* of the report of the Commission on Human Settlements on the work of its eighth session;

2. *Takes note with appreciation* of the progress which the Commission and its secretariat, the United Nations Centre for Human Settlements (Habitat), have continued to make in providing guidance and assistance to Governments in their efforts to provide adequate shelter and services to their people, particularly the poor and disadvantaged;

3. *Calls upon* all Governments to accord the requisite priority in their development and development assistance

⁹⁴ Official Records of the General Assembly, Fortieth Session, Second Committee, 17th meeting, paras. 93-99.

⁹⁵ *Ibid.*, Fortieth Session, Supplement No. 8 (A/40/8 and Corr.1).

programmes to human settlements activities as a proved means of promoting economic and social development, as well as to the fair distribution of the benefits of such development to all segments of the population;

4. *Takes note* of Commission on Human Settlements resolution 8/12 of 8 May 1985⁸⁶ and, in that context, urges the international community, including multilateral institutions and agencies, to consider, as appropriate, more flexible strategies in lending for human settlements projects and programmes;

5. *Commends* those Governments and others that have made voluntary financial contributions to the United Nations Habitat and Human Settlements Foundation, particularly those that have done so on a regular basis, and appeals to those that have not contributed to do so at the earliest opportunity;

6. *Decides*, in accordance with Commission on Human Settlements resolution 8/4 of 8 May 1985,⁸⁸ to designate the first Monday of October of every year as "World Habitat Day".

*119th plenary meeting
17 December 1985*

B

BIENNIAL CYCLE OF SESSIONS OF THE COMMISSION ON HUMAN SETTLEMENTS

The General Assembly,

Recalling its resolution 32/162 of 19 December 1977, by which it provided for the establishment of the Commission on Human Settlements and specified the duration of the term of office of members of the Commission,

Recalling also its decision 38/429 of 19 December 1983 on the rationalization of the work of the Second Committee and its resolution 39/170 B of 17 December 1984, in which it required the Commission on Human Settlements to consider adopting a biennial cycle of sessions,

Taking note with satisfaction of Commission on Human Settlements resolution 8/1 of 10 May 1985⁸⁸ on a biennial cycle of sessions for the Commission,

Having considered the recommendation of the Commission that the duration of the term of office of its members should be changed from three to four years in recognition of the change to a biennial cycle of sessions,

1. *Welcomes* the decision of the Commission on Human Settlements contained in its resolution 8/1 that, beginning in 1987, its sessions will, on an experimental basis, be held only in odd-numbered years;

2. *Endorses* the decision of the Commission on Human Settlements contained in its resolution 8/1 to hold a special session of shorter duration in 1988 devoted exclusively to ensuring effective follow-up to the International Year of Shelter for the Homeless which, pursuant to General Assembly resolution 37/221 of 20 December 1982, will be observed in 1987;

3. *Decides* that, beginning with the terms of office commencing on 1 January 1987, membership in the Commission on Human Settlements will be for a term of four years instead of three.

*119th plenary meeting
17 December 1985*

CO-ORDINATION OF HUMAN SETTLEMENTS PROGRAMMES WITHIN THE UNITED NATIONS SYSTEM

The General Assembly,

Having considered the report of the Secretary-General concerning the co-ordination of human settlements programmes within the United Nations system,⁹⁶

Taking note of the view on co-ordination expressed in Commission on Human Settlements resolution 8/13 of 8 May 1985,⁸⁸

Requests the Secretary-General to ensure effective participation of the United Nations Centre for Human Settlements (Habitat) in the work of the Administrative Committee on Co-ordination and its subsidiary machinery relevant to its mandate, as contained in General Assembly resolution 32/162 of 19 December 1977, taking into account Assembly resolutions 32/197 of 20 December 1977, 35/77 C of 5 December 1980 and 37/223 C of 20 December 1982, and to keep the matter under review for consideration by the Economic and Social Council at its second regular session in 1987 on the implementation of the present resolution, taking into consideration the follow-up of the cross-organizational programme analysis in human settlements by the Committee on Programme and Co-ordination.

*119th plenary meeting
17 December 1985*

40/203. International Year of Shelter for the Homeless

The General Assembly,

Recalling its resolutions 37/221 of 20 December 1982, 38/168 of 19 December 1983 and 39/171 of 17 December 1984 on the International Year of Shelter for the Homeless,

Noting with satisfaction that more than one hundred and fifteen countries have designated official national focal points for the International Year of Shelter for the Homeless, that many countries have already launched intensive national programmes for the Year and reported thereon to the Commission on Human Settlements at its eighth session, and that more than one hundred and sixty projects for the Year are under way in sixty-five countries,

Expressing its appreciation to the twenty-nine developing countries and five developed countries that have already made or pledged voluntary contributions to the International Year of Shelter for the Homeless,

Recognizing that an estimated one quarter of the world's population does not have adequate shelter and lives in extremely unhealthy and unsanitary conditions and that the programme for the International Year of Shelter for the Homeless provides a necessary and unique opportunity for countries to review their prospects and priorities for shelter and settlements and to develop, before or during 1987, new national policies and strategies for improving shelter for, and the neighbourhoods of, the poor and disadvantaged by the year 2000,

Noting that most of the voluntary contributions pledged to date have been pledged by developing countries and that further voluntary contributions are now needed in order to carry out effectively the overall plans endorsed by the General Assembly for activities to be undertaken before and during the International Year of Shelter for the Homeless,⁹⁷

⁹⁶ A/40/689.

⁹⁷ See A/38/233-E/1983/74 and Corr.1.

1. *Requests* those countries that have not yet established official national focal points for the International Year of Shelter for the Homeless to do so in the near future, along the lines specified in the annex to General Assembly resolution 38/168;

2. *Also requests* those countries that have not yet formulated national programmes and plans of action for the International Year of Shelter for the Homeless to do so and periodically to provide information on them to the United Nations Centre for Human Settlements (Habitat) so that all national focal points can be regularly informed of the activities, progress and achievements of the Year in countries around the world;

3. *Further requests* those countries and international organizations that have not yet done so to designate projects for the International Year of Shelter for the Homeless aimed at improving access to land, financing, building materials, training and employment, giving special attention to legal and institutional measures, and to send a project information sheet on each project to the United Nations Centre for Human Settlements (Habitat);

4. *Requests* all countries in their periodic reports on their national programmes and projects for the Year, especially in reports to the Commission on Human Settlements at its ninth session, to give special attention to their plans for developing and implementing new national policies and strategies for improving shelter for, and the neighbourhoods of, the poor and disadvantaged by the year 2000;

5. *Appeals once again* to all Governments that have not yet announced a voluntary contribution, especially those of developed countries, as well as to international financial institutions and intergovernmental and non-governmental organizations, to provide effective financial and other support to the programme for the International Year of Shelter for the Homeless;

6. *Requests* the Secretary-General to submit a report to the Economic and Social Council at its second regular session of 1986 on progress achieved in the implementation of the approved programme of measures and activities to be undertaken before and during the International Year of Shelter for the Homeless;⁹⁷

7. *Invites* the Economic and Social Council to include a special account of its deliberations on the subject in its report to the General Assembly at its forty-first session;

8. *Decides*, in view of the fact that 1987 is the International Year of Shelter for the Homeless, to devote special attention to the Year at its forty-first session.

*119th plenary meeting
17 December 1985*

40/204. **Effective mobilization and integration of women in development**⁹⁸

The General Assembly,

Taking note with appreciation of the world survey on the role of women in development,⁹⁹

Recognizing that although the survey was submitted to the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, it has yet to receive the detailed attention it deserves,

Noting with satisfaction the adoption by the Conference of the Nairobi Forward-looking Strategies for the

Advancement of Women,¹⁰⁰ which constitute an important and positive contribution to the attainment of the objectives of the Decade and provide a policy framework for the advancement of women to the year 2000,

1. *Invites* the Commission on the Status of Women at its thirty-first session to make specific action-oriented recommendations based on the world survey on the role of women in development as a part of the overall implementation of and follow-up to the Nairobi Forward-looking Strategies for the Advancement of Women, which should be for action at the national and international levels, including co-operation among developing countries, within an economic context, and should address sectoral and cross-sectoral problems identified in the survey, and requests that the report of the Commission be made available, through the Economic and Social Council at its second regular session of 1986, to the General Assembly at its forty-second session under the sub-item entitled "Effective mobilization and integration of women in economic development";

2. *Requests* the Secretary-General to take those recommendations into account when formulating the system-wide medium-term plan for women and development¹⁰¹ and to invite the specialized agencies and other organizations of the United Nations system, in particular the United Nations Industrial Development Organization, the International Labour Organisation, the Food and Agriculture Organization of the United Nations and the International Training and Research Institute for the Advancement of Women, to take into account the implications of the world survey when preparing their contributions to that plan;

3. *Also requests* the Secretary-General to update the survey on the role of women in development on a regular basis, focusing on selected emerging development issues that have an impact on the role of women in the economy at the local, national, regional and international levels;

4. *Decides* that the first update of the survey should be submitted to the General Assembly at its forty-fourth session, in 1989;

5. *Invites* the Commission on the Status of Women at its thirty-first session to make a recommendation on future updates of the survey after 1989, bearing in mind the need for effective co-ordination with the follow-up activities of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace;

6. *Also invites* the Commission on the Status of Women to suggest terms of reference for the first update of the survey, which should contain improved data and information on the role of women in development, including, *inter alia*, their role in the informal sector of the economy;

7. *Urges* the specialized agencies and other organizations of the United Nations system to contribute to the preparation of the first update of the survey;

8. *Requests* the Secretary-General to submit to the General Assembly, at its forty-second session, a progress report on the preparation of the first regular update of the survey, including preliminary views on its scope and content, so that the Commission on the Status of Women, at its thirty-second session, can take that report into account, together with the comments on the subject made by delegations in the General Assembly;

⁹⁸ See also sect. I, footnote 17, and sect. VI, resolution 40/101.

⁹⁹ A/CONF.116/4 and Corr.1.

¹⁰⁰ *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and*

Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

¹⁰¹ See Economic and Social Council resolution 1985/46 of 31 May 1985.

9. *Also requests* the Secretary-General to utilize the input provided by the Commission on the Status of Women at its thirty-second session and by the Economic and Social Council in 1988 for the preparation of the first update of the survey.

119th plenary meeting
17 December 1985

40/205. 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 Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling also its resolution 39/174 of 17 December 1984,

Reaffirming the provisions of the International Development Strategy for the Third United Nations Development Decade relating to the least developed countries,¹⁰² and the agreed conclusions concerning those countries of the Committee on the Review and Appraisal of the Implementation of the International Development Strategy for the Third United Nations Development Decade,¹⁰³

Reaffirming the Substantial New Programme of Action for the 1980s for the Least Developed Countries,⁴² whose objective is to transform the economies of the least developed countries so that they may achieve self-sustained development, and to enable them to provide at least internationally accepted minimum standards of nutrition, health, transport and communications, housing, education, and job opportunities to all their citizens, particularly the rural and urban poor,

Reaffirming the need to respect the socio-political and economic system of each least developed country in the implementation of the Substantial New Programme of Action,

Deeply concerned at the continued deterioration of the socio-economic conditions of the least developed countries despite national and international efforts to achieve the goals and objectives of the Substantial New Programme of Action,

Seriously concerned at the critical economic situation faced particularly by the least developed countries in Africa,

Recognizing the specific problems of the land-locked and island countries among the least developed countries, as reflected in United Nations Conference on Trade and Development resolutions 137 (VI) and 138 (VI) of 2 July 1983³⁸ and Trade and Development Board resolution 319 (XXXI) of 27 September 1985,³⁹

Recalling paragraph 119 of the Substantial New Programme of Action in which it was recommended that the Intergovernmental Group on the Least Developed Countries of the United Nations Conference on Trade and Development, while carrying out the mid-term review, should consider the possibility of holding at the end of the decade a global review on the implementation of the Substantial New Programme of Action which might, *inter alia*,

take the form of a United Nations conference on the least developed countries,

Taking note of the report of the Secretary-General on the mid-term global review of progress towards the implementation of the Substantial New Programme of Action,¹⁰⁴ carried out by the Intergovernmental Group at its sixth session,

1. *Emphasizes* that the least developed countries, in view of their deteriorating socio-economic situation, 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 Substantial New Programme of Action for the 1980s for the Least Developed Countries as the basis for continuing co-operation between the least developed countries and their development partners, as well as the commitment to the full and effective implementation of the Programme;

3. *Endorses* the conclusions and recommendations contained in the report of the Intergovernmental Group on the Least Developed Countries¹⁰⁵ on the mid-term global review of the Substantial New Programme of Action, as annexed hereto, which are designed to ensure the full implementation of the Substantial New Programme of Action over the second half of the decade;

4. *Calls upon* all Governments, intergovernmental and multilateral institutions, the organs, organizations and bodies of the United Nations system, non-governmental organizations and all others concerned to take immediate, concrete and adequate steps to implement the Substantial New Programme of Action for the Least Developed Countries, taking full account of the conclusions and recommendations of the mid-term global review so as to enable each least developed country to achieve a minimum standard of performance in socio-economic development;

5. *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 those countries pursue will be of importance for the success of their development efforts, and urges the least developed countries to continue their efforts to implement the provisions of the Substantial New Programme of Action at the national level;

6. *Calls upon* donor countries to continue to make every effort to increase their contributions in view of the important role that official development assistance plays in helping the least developed countries to achieve the objectives of their country programmes within the framework of the Substantial New Programme of Action, and urges those donor countries that have not yet attained 0.15 per cent of their gross national product, or have not yet doubled their official development assistance to least developed countries, to make every effort necessary to attain those targets as set out in United Nations Conference on Trade and Development resolution 142 (VI) of 2 July 1983,³⁸ as adopted;

7. *Urges* the least developed countries to create an appropriate policy framework (pricing policies, institutional reform, rationalization of public expenditures and public sector management, and measures to mobilize domestic savings through taxation, domestic financial institutions and the rural sector), in order to increase the mobilization of domestic resources and then ensure their

¹⁰² Resolution 35/56, annex, sect. III.K.

¹⁰³ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 48 (A/40/48)*, para. 22.

¹⁰⁴ A/40/826 and Corr.1.

¹⁰⁵ See A/40/827.

effective use, and to strengthen their national financial and planning institutions and, in this regard, urges all concerned to support the least developed countries with appropriate technical and financial assistance;

8. *Stresses* the critical importance of multilateral assistance to the least developed countries through channels such as the International Development Association, the International Fund for Agricultural Development, regional development banks and their funds, the United Nations Development Programme, including its Special Measures Fund for the Least Developed Countries, the United Nations Capital Development Fund and the United Nations Volunteers programme;

9. *Calls upon* donor countries and institutions urgently to improve further the quality and effectiveness of official development assistance to increase its responsiveness to the requirements of the least developed countries, as called for in paragraph 70 of the Substantial New Programme of Action⁴² and in section XIII of part two of the annex to the present resolution;

10. *Reaffirms* the importance of co-ordination, follow-up and monitoring at the national, regional and global levels, as outlined in section XVII of part two of the annex to the present resolution, as crucial to the implementation of the Substantial New Programme of Action and requests the international community and the multilateral agencies to ensure that the country review meetings for the least developed countries facilitate understanding and dialogue between those countries and their development partners aimed at effective and expeditious implementation of the plans and programmes of the least developed countries with a view to achieving an accelerated growth rate and structural transformation of their economies, and invites the least developed countries to convene such meetings on a regular basis;

11. *Renews the invitation* to the governing bodies of appropriate organs, organizations and bodies of the United Nations system, including the United Nations Development Programme, to take the necessary and appropriate measures for effective implementation, monitoring and follow-up of the Substantial New Programme of Action and the conclusions and recommendations adopted by the Intergovernmental Group on the Least Developed Countries at its sixth session within their respective spheres of competence and mandates, and requests the Secretary-General of the United Nations Conference on Trade and Development and the Director-General for Development and International Economic Co-operation to continue to undertake their responsibilities as specified in paragraphs 121 and 123, respectively, of the Substantial New Programme of Action;⁴²

12. *Decides* to carry out a global review and appraisal of the implementation of the Substantial New Programme of Action at a high level in 1990;

13. *Decides further* that the precise level, mandate, date and venue for such a review, as well as the preparatory process, should be determined by the General Assembly at its forty-second session, in the light of the consultations that will take place under the auspices of the United Nations Conference on Trade and Development, including those of the seventh session of the Conference;

14. *Requests* the Secretary-General to submit to the General Assembly at its forty-second session a report on the implementation of the present resolution.

*119th plenary meeting
17 December 1985*

ANNEX

Mid-term global review of progress towards the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries: conclusions and recommendations submitted by the Intergovernmental Group on the Least Developed Countries of the United Nations Conference on Trade and Development

Part One

*Review of progress in implementation of the Substantial New Programme of Action at the country level and of progress in international support measures*¹⁰⁶

INTRODUCTION

1. It was noted with serious concern that since the adoption in 1981 of the Substantial New Programme of Action for the 1980s for the Least Developed Countries there has been a significant deterioration in the overall socio-economic situation of the least developed countries, the causes of which were both external and domestic. The economic crisis had a depressing effect on the three major sources of foreign exchange of the least developed countries: export earnings, concessional capital flows and private transfers. The exceptionally high real interest rates prevailing during the past years have increased the interest obligations on their external debt. This situation was worsened by very adverse climatic conditions in many least developed countries, particularly in Africa, which have caused declines in agricultural and food production. There has also been uneven implementation of domestic policy changes that were required for social and economic development.

2. Thus, as a result of all these factors, after growing at a low average annual rate of close to 4 per cent in the 1970s and by 3 per cent in the first year of the present decade, the least developed countries as a group recorded a growth rate in gross domestic product (GDP) in 1982 and 1983 of only 2 per cent. Since population increased at the high rate of 2.6 per cent, in 1982 and 1983 their GDP per capita declined. Provisional indicators show a poor picture for 1984 when the African crisis came to a climax, affecting almost all the least developed countries in Africa. Preliminary estimates for 1985 point towards a virtual stagnation or decline of GDP for the group of least developed countries as a whole, which would mean a considerable reduction per capita. However, it is encouraging to note that, despite this very poor development for the group as a whole, a few individual least developed countries did perform particularly well, some of them exceeding an annual GDP growth of 7.2 per cent, the rate required to double national income in a decade. This is evidence of the fact that the target of the Substantial New Programme of Action is not entirely beyond reach, although its attainment has become more difficult during the first half of the decade owing to the convulsions that have affected the world economic scene and to the vagaries of weather. Such an achievement requires an intelligent combination of measures undertaken by the least developed countries, on the one hand, and of the volume, conditions and structure of international assistance on the other.

3. Unless urgent measures are taken to implement fully and adequately the Substantial New Programme of Action, this declining trend in the socio-economic situation of the least developed countries will be even more acute in future, with serious and stark repercussions for their populations.

I. GENERAL SITUATION AND NATIONAL MEASURES

A. FOOD AND AGRICULTURE

4. Among the essential social and economic priorities for the development of the least developed countries, both as a means of satisfying the most fundamental human needs and as a basis for economic growth, agriculture and food production were given the highest priority in the Substantial New Programme of Action. Specific recommendations were made in paragraphs 9-19 of the Programme and more especially in paragraph 13. Indeed, the weight of the agricultural sector within the overall economies of the least developed countries, supporting the overwhelming majority of the population and providing raw materials for industry and export revenues, establishes a clear and close link between progress in this sector and overall economic growth. These recommendations called for giving a high priority in the national development plans, programmes and policies of the least developed countries to the agricultural sector, with particular attention to food production and distribution. Agricultural and food strategies were to include among their objectives:

(a) The attainment of greater food self-sufficiency as soon as possible and at the latest by 1990;

¹⁰⁶ The arrangement of the text in part one generally follows that of the Substantial New Programme of Action (see footnote 42).

(b) The attainment or surpassing of the 4 per cent growth rate in agricultural production;

(c) Achievement of food security through food supplies readily accessible at affordable prices.

5. During the first four years of the 1980s agricultural production in the least developed countries continued to be a source of continuing concern in terms both of growth rates and of the ability of the least developed countries to meet the food and nutritional needs of their growing populations. During this period the average rate of growth of agricultural output not only fell far short of the target of 4 per cent but also was lower than that recorded in the 1960s and 1970s. This implied a serious deterioration in per capita terms, given that population increased at the rate of 2.6 per cent per annum.

6. The goal of food self-sufficiency was even further from fulfilment, inasmuch as food production per capita fell even more than overall agricultural production. Food insecurity has worsened further, particularly at the household level. The decline of per capita food production worsened, dropping from -0.5 per cent per annum in the 1970s to -1.4 per cent in 1980-1984. However, 7 among the 36 least developed countries did record positive growth rates in food output per capita, proving the realism of the targets set by the Substantial New Programme of Action.

7. Non-food agricultural production, destined largely for export, performed relatively better for the least developed countries as a group during the early 1980s.

8. The causes of the disappointing performance in agriculture and in food production in the least developed countries during the period under review are complex and vary from country to country. But in general, among them are the disastrous climatic conditions in most of those countries during the 1980s, which not only reduced agricultural production and negated the effects of the very substantial efforts made by many of them to increase production in this sector, but also caused severe ecological damage to the environment.

9. The importance accorded to food strategies has proven to be correctly placed. Such strategies enable donors and the least developed countries to deal with the problems of production, marketing and consumption in an integrated and comprehensive manner. Courageous and important steps have been taken by several least developed countries, with the support of the international community, to define and introduce food strategies. Success in these cases was the result of the political will of Governments to introduce changes. These measures have yet to produce full and tangible benefits but represent the principal achievement in this sector.

10. Failure in some cases to adopt appropriate food sector strategies and to implement appropriate reforms has contributed to the lack of progress in agricultural development. Difficulties have been encountered in such key areas as: full participation of the rural population in rural development programmes; appropriate pricing policies for both agricultural products and inputs to serve as incentives for increased production; institutional and agrarian reforms; the development of the required infrastructure; meeting the basic needs of rural societies; and overcoming the inequalities between men and women in participation in and benefiting from rural development programmes.

11. During recent years the particular dynamism of the rural sector has increased and shown itself in various forms, particularly in that of village groupings. It often developed in collaboration with non-governmental organizations. Several least developed countries have taken steps to support this dynamism using donor assistance, both bilateral and multilateral.

12. It was noted that there is a need to bring about an appropriate balance between food production for domestic consumption and cash crops for export. There are some positive examples for overcoming this potential dilemma, providing that the two objectives need not conflict with each other. For example, the development of agricultural export products may facilitate the introduction of new techniques and facilities that can also be used by traditional farmers to improve their production. Appropriate policies and development of infrastructures supporting export production may also benefit food production for local consumption.

13. Insufficient infrastructure in rural areas not only is a serious constraint to agricultural production, manufacturing and processing, but also serves to discourage linkages with other economic sectors.

14. While food aid has been useful in the short term, it has sometimes served to discourage moves towards increasing food self-sufficiency in the least developed countries by depressing prices and delaying urgent investments in the rural sector. However, ways have been found to use food aid as a tool for financing development projects in general and in the agricultural sector in particular.

15. Co-ordination in the agricultural sector at both the local and the international levels has been insufficient, priorities sometimes conflict, and the dialogue has not always been as comprehensive as might have been desired.

16. Severe price fluctuations on the international markets and uncertainties caused by natural factors have compounded problems facing the agricultural sector. The difficult economic conditions that faced many developed and developing countries in the early 1980s depressed demand for the major agricultural exports of the least developed countries, upon which they depend for a major part of their foreign exchange earnings, and further complicated their efforts to use agriculture as a means of improving their overall economic performance.

17. Support measures to help offset the shortfalls in export earnings arising from declining primary commodity prices were noted with satisfaction. However, many countries felt that the insufficient availability of such support, coupled with delays in bringing into operation the Common Fund for Commodities and the limited number of functioning commodity agreements, contributed to the difficulties of the least developed countries in overcoming the adverse consequences on their agricultural production.

B. HUMAN RESOURCES AND SOCIAL DEVELOPMENT

18. On the issues of human resources and social development in the least developed countries there was general agreement that the recommendations of the Substantial New Programme of Action in this area remain valid. The development of human resources is an essential prerequisite for the development of the least developed countries, and therefore remains a priority. The scarcity of skilled manpower, particularly in an administrative and managerial capacity, hinders the development process in the least developed countries.

19. The progress achieved by some of the least developed countries in several areas, particularly declining infant mortality rates and increased literacy rates, was noted with satisfaction, while concern was expressed at the continued large discrepancy between male and female literacy rates. However, it was noted with concern that several other indicators reveal a declining trend in the education, health and nutrition status of the population of the least developed countries as a whole.

20. The scarcity of means available to accelerate the development of human resources in the least developed countries and efforts to overcome the situation were discussed. The need to consider public expenditure on education and health as investment from the point of view of the economy as a whole was stressed.

21. The reorientation of the educational system in some of the least developed countries in order to train managers and technicians to better meet the needs of the economy was noted. There had been limited improvement in implementing training programmes meeting the priority needs of the rural populations. An important aspect has been increasing the prestige of manual work, especially in agriculture. The view was expressed that on-the-job training programmes have been more useful when integrated in development projects at an early stage and that they should be expanded and strengthened. Efforts to mobilize more domestic resources for education were highlighted. The necessity was stressed of maintaining and improving the quality of education in the context of the expansion of basic education.

22. It was emphasized that high priority for primary health care was still required. The contrast was noted in a general way between highly sophisticated medical care that was sometimes available only to a section of the urban population and the development of a widely decentralized preventive medicine which required simple methods, was relatively inexpensive and intended for as many people as possible. The efforts made by the least developed countries to achieve the target of "Health for All by the Year 2000"¹⁰⁷ were also noted. The adaptation of the nomenclature of the essential drugs programme prepared by the World Health Organization forms part of these efforts.

23. Significant cuts in social expenditure have adversely affected the maintenance of physical facilities in both education and health in particular. Experience has shown that this difficulty can be overcome by flexibility on the part of both the least developed countries and donors. It was recognized that government funds were very limited in the least developed countries and experiences were reported where active participation of beneficiaries, *inter alia*, through user fees, contributed to covering the costs, to safeguarding the efficient use of existing facilities and to reducing dependency of vital services on external assistance. However, generally low income levels have resulted in some of the cases referred to in difficulties and limitations for such contributions. It was also stressed that universal access to basic education and health services was regarded as one of the

¹⁰⁷ See resolution 36/43.

major social aims of the least developed countries. Local and recurrent cost support in the programmes has in several cases been an essential complement of local efforts to keep physical facilities running.

24. The implementation of national population policies as recommended in the Substantial New Programme of Action was seen as an important factor for the success of development efforts by the least developed countries. It was noted that only a few least developed countries had vigorously encouraged population policies and family planning activities. Maternal and child care, including family planning, also bring general health benefits to mothers and children. The representatives of least developed countries explained that, while several least developed countries had adopted population programmes, the determinants of achieving lower fertility were not always favourable in their countries.

25. The significant contribution made by women in the development process of the least developed countries, especially in the agricultural sector, was highlighted.

26. Financial and technical assistance to the least developed countries plays an important part in supporting their efforts in the sphere of human resources development. The linkage between both types of assistance and the right sequence to be followed in providing them was considered to be of crucial significance. The view was expressed by some donors that such assistance should have been provided on more flexible terms and should cover recurrent and local cost expenditures, as these have been identified as major constraints to the development of health and education.

27. It was observed that there is a lack of readily available data about the practical experience in human resources development that would permit analyses of past investment in and development of human resources. In this connection, the important role played by a number of partner countries of least developed countries and by the United Nations Development Programme in helping the least developed countries to develop their human resources and identify priorities was emphasized.

C. NATURAL RESOURCES AND ENERGY

28. In the sphere of natural resources and energy, the targets of the Substantial New Programme of Action remain entirely valid, despite the fact that they have not yet been achieved. The energy deficit experienced by most least developed countries often leads to their balances of payments being heavily mortgaged, as well as to destructive consequences on the environment. Most least developed countries have lacked the financial, human and material means to be able to assess and plan their traditional and other energy resources in a sufficiently comprehensive manner, with the result that the rational exploitation of these resources has so far been impeded.

29. Thus, the intensive use of fuelwood and charcoal has three consequences: a tendency towards the depletion of these resources, the degradation of the ecosystem and the weakening of the agricultural potential. Efforts to substitute the consumption of fuelwood by other resources have not yet yielded the results anticipated.

30. Despite the decline in real terms of the international price of energy, the cost of importing energy products remains heavy for the least developed countries.

31. For lack of financial and technical means, the hydroelectric resources of the least developed countries continue to be underexploited. Investments in this sector often have the twofold characteristic of requiring very considerable financial resources and of not invariably offering profitability sufficient to guarantee the covering of recurrent costs. The advantages afforded by small-scale hydroelectric schemes have not yet been fully exploited.

32. Although international aid has contributed to the efforts made in the energy sector, it has not solved the energy problems of the least developed countries, and modalities have not always been flexible enough to permit the full economic and social development of local potential.

D. MANUFACTURING INDUSTRY

33. The industrialization targets of the Substantial New Programme of Action have not yet been achieved. In the majority of the least developed countries, the share of manufacturing in GDP is currently close to 9 per cent, while in a number of cases it does not even exceed 4 to 5 per cent.

34. The maintenance over a long period of unrealistic price structures and rates of exchange has sometimes exerted a negative impact on industrial development efforts.

35. In a number of least developed countries industrial policies, including the role to be played by the State in the industrial development sphere, have been redefined. In several least developed countries state enterprises continue to play an important role in this process.

36. In some cases industrial promotion mechanisms, mainly credit structures and technical training, as well as international aid, continue to be insufficient, and often entail severe conditions that the promoters are unable to fulfil.

37. In many cases in the past the choice of technologies, both by donors and by beneficiaries, has been inappropriate, leading to difficulties in maintenance and utilization of capacities.

38. The complementarity of the agricultural and industrial sectors has not always been fully taken into consideration, particularly in respect of linkage effects on employment. However, the least developed countries have endeavoured to promote the formulation of integrated strategies. Local capacities for on-the-spot processing of primary commodities have not yet been fully developed, owing to a lack of technical and financial means and of technology transfers to the least developed countries.

39. Although the situation varies considerably from country to country, the formulation of policies for the promotion of small- and medium-sized enterprises, as well as international assistance furnished for that purpose, are still inadequate. Industrial co-operation agreements between some enterprises of least developed countries and those of certain donor countries have been concluded.

40. Regional and subregional economic groupings have taken measures to exploit the opportunities offered by an expanding market in the regions concerned.

E. PHYSICAL AND INSTITUTIONAL INFRASTRUCTURE

41. The insufficiency, fragility and occasional ineffectiveness and inadequacy of the physical and institutional infrastructure continue to be one of the major obstacles to the structural transformation and economic development of the least developed countries.

42. The precarious situation of the physical infrastructure of the least developed countries is often aggravated by the inadequacy of maintenance services.

43. Institutional infrastructures are often insufficiently productive for various reasons, mainly the inadequacy of equipment and skilled staff and insufficient operating budgets.

44. In the case of land-locked least developed countries the inadequacy and the precarious situation of transport networks in adjoining countries, as well as occasional institutional instability in some of those countries, have formed an obstacle to the transportation of products coming from, or intended for, foreign countries.

F. ENVIRONMENT

45. The close interrelationship of poverty and environmental deterioration has become increasingly obvious in recent years. The lack of means and alternative energy resources compels the populations of the least developed countries to utilize resources that are becoming depleted, such as fuelwood, thus producing environmental deterioration and an aggravation of the effects of drought and the desertification process. The deterioration of the ecosystem is thus the outcome of the joint impact of climatic conditions and human activity in a context of poverty and rapid population growth, which leads to the over-exploitation of the soil, water resources and vegetation. Consequently, climatic deterioration leading to drought and desertification may well become irreversible phenomena.

46. In some least developed countries, rural development policies have not yet always included specific measures designed to combat drought and desertification. Bearing in mind that fuelwood will continue to be the main source of energy for rural households in the least developed countries in the future, reforestation efforts have been inadequate. As they have been undertaken, activities, including international aid in this sphere, have frequently been geared to the short term and have neglected the need for long-term measures. Contemporary famines are the consequence of decades of unfavourable climatic factors but also of mistakes, inaction and a lack of foresight, both by the countries concerned and at the level of international aid.

47. In some cases political instability has made the efforts to combat desertification and drought hazardous. Similarly, population movements have sometimes constituted an aggravating factor.

48. Confronted with the seriousness of the situation, some least developed countries are beginning to implement policies associating local populations with measures to protect the environment.

G. TRANSFORMATIONAL INVESTMENTS

49. The number of major investment projects under preparation or under implementation in many least developed countries has decreased considerably since the adoption of the Substantial New Programme of Action, as a result of, *inter alia*, resource constraints, both internal and external, experienced by these countries, as mentioned in paragraphs 53

and 54 of the Programme. In the light of experience gained in design and implementation of projects, besides the capital needs, the following elements were considered important:

- (a) A comprehensive approach for selecting major investment projects in accordance with national priorities;
- (b) Carefully prepared pre-investment studies, including cost-benefit analysis;
- (c) Pre-investment activities, with the necessary technical assistance;
- (d) Human resources aspects, such as training of personnel, management capacity and participation of the local work force;
- (e) Maintenance and rehabilitation, including preparedness to meet recurrent costs;
- (f) A conducive atmosphere for investment.

H. LAND-LOCKED AND ISLAND LEAST DEVELOPED COUNTRIES

50. Paragraph 55 of the Substantial New Programme of Action, relating to the problems of land-locked and island least developed countries, was considered to retain its full pertinence. It was furthermore noted that the problems of those countries had been aggravated in the recent period of recession. Attention was called to United Nations Conference on Trade and Development resolutions 137 (VI) and 138 (VI) of 2 July 1983³⁸ and Trade and Development Board resolution 319 (XXXI) of 27 September 1985.³⁹

I. FOREIGN TRADE

51. The Intergovernmental Group reaffirmed the importance of paragraphs 56 to 58 of the Substantial New Programme of Action, which retain their full validity. The following factors were considered to be of special importance:

- (a) Horizontal and vertical diversification of production and exports;
- (b) The effects of the expansion of the network of intergovernmental long-term agreements on trade and economic co-operation, as well as the institutional framework, between the least developed countries and other countries;
- (c) Development of trade at the domestic and regional, as well as at the global level;
- (d) Trade promotion activities;
- (e) Adjustment efforts with regard to import programmes and policies of the least developed countries;
- (f) Development of institutional capabilities, including the training of personnel.

52. It was recognized that, in carrying out their tasks in these fields, the least developed countries had benefited from, *inter alia*, the activities of the International Trade Centre UNCTAD/GATT and of the United Nations Conference on Trade and Development.

J. DISASTER ASSISTANCE FOR THE LEAST DEVELOPED COUNTRIES

53. The implementation of the Substantial New Programme of Action during the first four years has been impeded by natural disasters such as the drought in Africa and floods and cyclones in other countries, and man-made disasters such as internal and external conflicts that have affected a large number of the least developed countries and have considerably increased the number of refugees and displaced persons. The least developed countries, the industrialized countries and the international community, in particular the relevant specialized agencies of the United Nations system, are today in a position to draw some lessons from these dramatic experiences, which point to:

- (a) The need for creating conditions for improving the efficiency of emergency assistance, with the aim of reaching the target groups of the population;
- (b) The shortcomings relating to administrative structures for preventive purposes in the field regarding, *inter alia*, statistics, technology and various information networks and systems of monitoring the environment;
- (c) The relevance of using emergency assistance for measures improving the efficiency of the assistance, such as support for logistics and transport capacities;
- (d) The need for better co-ordination of efforts at both the national and the international level;
- (e) The value of the participation of non-governmental organizations;
- (f) The need for consideration of longer-term development objectives when providing emergency assistance, in particular with regard to production and distribution of food;

(g) The special vulnerability of the least developed countries hosting refugees and persons affected by natural disasters.

54. The Intergovernmental Group endorsed the conclusions relating to emergency assistance adopted by the Meeting of Governmental Experts of Donor Countries and Multilateral and Bilateral Financial and Technical Assistance Institutions with Representatives of the Least Developed Countries as Part of Preparation for the Mid-term Global Review of the Implementation of the Substantial New Programme of Action, which was held at Geneva from 1 to 10 May 1985.¹⁰⁸

II. INTERNATIONAL SUPPORT MEASURES

A. TRANSFER OF FINANCIAL RESOURCES

55. The United Nations Conference on the Least Developed Countries recognized that action by the least developed countries at the national level, including vigorous measures for the mobilization of domestic resources, should be complemented by international measures of support through both a substantial increase in financial resource transfers and policies and programmes affecting the modalities of assistance so that those countries might achieve the objectives of their country programmes within the framework of the Substantial New Programme of Action.

1. Volume of aid

56. The Substantial New Programme of Action envisaged that if all donors were to provide levels of net official development assistance consistent with one or other of the targets set out in paragraph 63 of the Programme, the level of such assistance to least developed countries would double by 1985 compared with the annual level of transfers to them during the period 1976-1980. On the basis of the data available up to 1984, it is anticipated that the actual level of assistance will fall substantially short of this amount in 1985. Nevertheless, a significant number of the donors who accepted one of the targets in 1981, either to provide official development assistance equivalent to 0.15 per cent of their gross national product (GNP) or to double the level of their assistance, have met or come close to reaching the target.

2. Multilateral programmes

57. The amount of multilateral aid, including flows from multilateral agencies financed by members of the Organization of the Petroleum Exporting Countries, provided to least developed countries annually was 47 per cent higher in the period 1981-1983 than in 1976-1980. However, many countries expressed serious concern about the reduced level of funding for several important multilateral development agencies, in particular the International Development Association.

58. It was noted, however, that several multilateral development agencies, mainly financed by countries members of the Development Assistance Committee, have adopted policies that emphasize the needs of the least developed countries. Although the share of flows from these agencies to the least developed countries has increased since 1981, the policy emphasis is yet to be fully reflected in aid disbursement patterns.

59. Although the Special Facility for sub-Saharan Africa of the World Bank, established in 1985, is not specifically addressed to the least developed countries, it will increase financial flows to many least developed countries in Africa.

3. New mechanisms

60. No new initiatives have been taken since 1981 in respect of possible new mechanisms for increasing financial transfers to the least developed countries. It was noted that the use by those countries of resources of the International Monetary Fund, designed to alleviate short-term balance-of-payments problems, which reached \$2.2 billion in 1983, was now on the decline and that their net purchases from the Fund had been negative in 1984, despite their continuing serious balance-of-payments difficulties. It was further noted that the Task Force on Concessional Flows of the Development Committee of the World Bank had recently completed its work, which was considered at the 27th meeting of the Development Committee, held on 7 October 1985 at Seoul.

4. Aid modalities

61. The Substantial New Programme of Action urged donors and recipients to improve the quality and effectiveness of official development assistance by making improvements in aid practices and management. In this regard the following points were noted:

- (a) Most donors have increasingly provided aid to the least developed countries on grant terms;
- (b) The debt situation of many least developed countries remains serious and the amount of debt outstanding, including short-term debt and credits of the International Monetary Fund, had increased since 1981 to \$35 billion by the end of 1983. Most donors members of the Development

¹⁰⁸ TD/B/1055 and Corr.1, part two, paras. 44-46.

Assistance Committee had taken measures under Trade and Development Board resolution 165 (S-IX) of 11 March 1978:¹⁰⁹ the value of such measures in respect of least developed countries amounts to \$4.0 billion, of which \$2.9 billion is in the form of cancellation of official development assistance debt. Some donors have also rescheduled the official development assistance debt of least developed countries in several appropriate cases;

(c) Since 1981 there has been no general initiative by donors to increase the proportion of untied bilateral aid. Most bilateral aid, apart from local cost financing, has continued to be tied to procurement in the donor country. Representatives of least developed countries indicated that in their experience the tying of bilateral aid to their countries had increased since 1981;

(d) In the context of improved dialogue and understanding about domestic programmes and policies of the least developed countries, most donors have shown a greater willingness to provide aid in more flexible forms, in particular for balance-of-payments support, and at a sectoral level for rehabilitation and improved maintenance, as well as for longer-term development objectives. Representatives of some least developed countries pointed out that donors had continued, and in some cases increased, their preference for project aid, as compared to other forms of aid, which created difficulties in aid utilization in many least developed countries. The need was recognized for greater predictability in the provision of such assistance and for measures to be taken to reduce delays between commitments and disbursements;

(e) While most donors have been more willing to provide local cost financing, there remains a cautious attitude towards the funding of recurrent costs. It was noted that the provision of aid for the local costs of investments could facilitate the financing of recurrent costs from domestic resources, particularly in the social sectors. Nevertheless, the importance of aid for recurrent costs in appropriate cases was recognized, provided there was an understanding on the time-scale over which such costs could be increasingly financed from domestic resources;

(f) The donor Governments, and the public through voluntary contributions to non-governmental organizations in various countries, have responded to disasters, and in particular to the appalling famine in sub-Saharan Africa, with substantial emergency assistance.

B. IMMEDIATE ACTION COMPONENT OF THE SUBSTANTIAL NEW PROGRAMME OF ACTION

62. The main issues concerning the immediate action component of the Substantial New Programme of Action were discussed in the context of aid modalities.

C. TECHNICAL ASSISTANCE

63. Although the level of technical assistance to the least developed countries was substantially higher in the period 1981-1983 than in 1976-1980, it has remained at about \$1.5 billion annually. The increased focus on technical assistance aimed at institution-building and training of manpower given by a number of donors, including the United Nations Development Programme, was noted.

64. Experience indicates that there is further scope for improving the effectiveness of technical co-operation, by establishing a closer link between technical co-operation and financial assistance and a further integration of different technical co-operation inputs, including the provision of equipment and highly qualified experts able to operate effectively in the environment of the least developed countries in association with appropriate counterpart staff.

D. OTHER ECONOMIC POLICY MEASURES AT THE INTERNATIONAL LEVEL

1. Commercial policy measures

65. The decline in dollar terms of the export earnings of the least developed countries, due particularly to the drop in the prices of primary commodities since 1979, is a source of serious concern. This, coupled with the deterioration in the terms of trade, has led to a reduction in essential imports and an increase in the external debt of the least developed countries, thus impeding their plans for trade expansion and diversification. In these circumstances, the efforts made by the industrialized countries in trade policy matters have not produced the desired effect.

(a) Access to markets

66. Some progress towards improved access for the products of the least developed countries to the markets of the industrialized countries has

been noted. The persistence in certain cases of quantitative restrictions or of unduly severe rules of origin applied by certain countries was also noted.

67. Considerable improvements have been made by certain industrialized countries to their tariff preference schemes, although in many cases these schemes do not include all the export products that are of special relevance for the least developed countries. Moreover, the least developed countries do not or often could not take full advantage of the existing preference schemes for various reasons.

(b) Export promotion

68. A number of industrialized countries have set up offices to promote imports from developing countries, and more particularly imports from the least developed countries.

69. The technical assistance of the International Trade Centre UNCTAD/GATT and of the United Nations Conference on Trade and Development in formulating export strategies and trade promotion was considered to be constructive.

(c) Primary commodities

70. Little progress has been recorded in concluding commodity agreements. The successful conclusion of two new agreements for development purposes, the international agreements on jute and jute products and on tropical timber, was welcomed. The Agreement Establishing the Common Fund for Commodities,²⁹ which would be advantageous for the least developed countries, has still not been implemented.

71. As far as compensation for shortfalls in export earnings is concerned, the extension of STABEX¹¹⁰ to new products and the announcement of the implementation of a similar system for least developed countries that are not parties to the Lomé Convention were considered to be positive developments. However, there is still room for improvement in compensatory financing facilities. Reference was made to a plan for improving compensatory financing facilities that would provide for special treatment for the least developed countries and that is under discussion in the United Nations Conference on Trade and Development.

2. Transport and communications

72. Considerable difficulties continue to beset the least developed countries in respect of the upkeep and operation of transport and communications networks. These difficulties contribute to heavy losses in the event of natural disasters. The problems of land-locked and island least developed countries are particularly acute and require substantial investments in transport-transit infrastructure.

3. Transfer and development of technology

73. There has been a growing awareness of the importance of the transfer of technology for the social and economic transformation of the least developed countries. They continue to face difficulties in the acquisition and adaptation of appropriate technologies. A number of important measures taken by the least developed countries in effecting technological transformation were noted. Concern was expressed that the negotiations on an international code of conduct on the transfer of technology, the revision of the Paris Convention for the Protection of Industrial Property and the problem of the brain drain had not been concluded. The negative impact of reverse transfer of technology was mentioned.

III. ARRANGEMENTS FOR IMPLEMENTATION, FOLLOW-UP AND MONITORING

74. The Substantial New Programme of Action recognized the importance of follow-up, implementation and monitoring at the national, regional and global levels.

A. NATIONAL LEVEL

75. Co-ordination to ensure effectiveness of all development activities at the country level is a key responsibility of the least developed countries themselves and a crucial aspect of implementation, monitoring and follow-up of the Substantial New Programme of Action. Co-ordination needs differ from country to country, and mechanisms selected respond to the requirements of the individual country situation. The growing burden on the administrations of the least developed countries created by an increasing number of development activities, including measures to offset the consequences of natural disasters, has led to a stronger recognition by the least developed countries and the international community of the importance of co-ordination. In response, many least developed countries have established national focal points to co-ordinate external assistance. The United Nations Development Programme and other donors have contributed to strengthening the least developed countries' capabilities in this regard.

¹⁰⁹ Official Records of the General Assembly, Thirty-third Session, Supplement No. 15 (A/33/15), vol. I, part two, annex I.

¹¹⁰ System of stabilization of export earnings established by the first Lomé Convention, concluded between EEC and 46 ACP (African, Caribbean and

Pacific) States on 28 February 1975, and reinforced by the second ACP-EEC Convention, concluded between EEC and 58 ACP States on 31 October 1979 (see *Official Journal of the European Communities*, vol. 23, No. L 347 (22 December 1980)).

76. Since 1981 most of the least developed countries have established mechanisms in accordance with paragraph 111 of the Substantial New Programme of Action in the form of United Nations Development Programme round-table conferences and World Bank consultative groups or other arrangements. In response to the request from the least developed countries, the United Nations Development Programme has expanded its round-table conferences and the World Bank has increased the number of consultative groups, at the meetings of which the secretariat of the United Nations Conference on Trade and Development has played an active role. The initial results of the round-table conferences in terms of encouraging increased resource flows and a candid discussion of specific development issues were unsatisfactory. The meetings did not cover all the aspects suggested in paragraph 113 of the Programme but they provided a good basis for future development co-operation.

77. The United Nations Development Programme subsequently evaluated the round-table process and implemented a series of improvements, including co-operation with the World Bank and the European Economic Community on key aspects of macro-economic situations in conducting economic analyses. This is leading to a convergence of the types of issues dealt with at both forms of co-ordination meetings. Some donors have provided special assistance to the United Nations Development Programme for the purpose of conducting round-table conferences.

78. Although there is a general recognition that the United Nations Development Programme round-table conferences and World Bank consultative groups should be complemented by co-ordination at the local and sectoral levels, experience has shown that this has not been achieved in all cases.

79. Co-ordination of the activities of the United Nations system at the country level, as envisaged in paragraph 124 of the Substantial New Programme of Action, and under the aegis of the United Nations system resident co-ordinator has been insufficient and has scope for improvement as regards some reluctance to co-operate. In some least developed countries, at the specific request of the country concerned, the role of the system resident co-ordinator has assumed a broader focus. The activities undertaken by the regional commissions of the United Nations pursuant to paragraph 125 of the Programme were noted.

B. GLOBAL LEVEL

80. It was noted that the United Nations Conference on Trade and Development, in fulfilling the role of global monitoring of the Programme, had made a regular analysis of some aspects of the economic performance of the least developed countries and the actions taken by the international community in implementing the Programme. The secretariat of the United Nations Conference on Trade and Development had also reported on a regular basis to the General Assembly on the implementation of the Substantial New Programme of Action. Furthermore, within the United Nations system the Director-General for Development and International Economic Co-operation, in close co-operation with the Secretary-General of the United Nations Conference on Trade and Development, has been convening inter-agency consultations on the least developed countries on a regular basis in order to ensure at the secretariat level the full mobilization and co-ordination of all regional commissions, organs, organizations and bodies of the United Nations system for the purpose of implementation and follow-up of the Programme.

Part Two

*Measures for ensuring the implementation of the Substantial New Programme of Action over the second half of the Decade*¹¹¹

The Intergovernmental Group on the Least Developed Countries,

I

FOOD AND AGRICULTURE AND RURAL DEVELOPMENT

Expressing concern that, although the Substantial New Programme of Action for the 1980s for the Least Developed Countries rightly attaches high priority to the agricultural sector, in particular to food production, progress in achievement of targets has been very slow, in many cases because of factors beyond the control of the least developed countries,

Recognizing that there is need to make further progress in developing and implementing food strategies in a co-ordinated and concentrated way,

1. *Concludes* that, while recognizing the individual situation of each least developed country, for an integrated policy in this area the following elements are of critical importance:

- (a) Overall strategies, defining not only the goals of agricultural development and food security, but also the ways and means to reach those goals;
- (b) Agricultural exports as a means to finance essential imports, notably for the agricultural sector, and to facilitate reinvestment in the sector;
- (c) Improvement of research and development activities, adoption of appropriate technologies and study of possibilities for further processing of the main agricultural products;
- (d) Promotion of co-operative development;
- (e) Efficient structures and procedures to support the farmer in terms of, first, services (marketing and payment facilities, adequate agricultural extension, basic social services, such as primary health facilities and basic education, and ancillary services, such as repair shops and small-scale manufacturing); second, direct production inputs (for instance, an extended system of rural credit and seeds, fertilizers, pesticides, tools); and, third, infrastructures (for instance, storage and transport facilities, water supply);
- (f) Appropriate pricing policies for agricultural inputs and products;
- (g) Appropriate institutional and agrarian reforms, including more efficient and fairer distribution of the means of production;
- (h) Measures to ensure the full participation of the rural population, with particular attention to women as regards the role they play and their share in the benefits received;
- (i) Efficient management and utilization of forest resources based on the productive, protective and social potential of forests;
- (j) Improved fisheries management and fisheries development strategy;
- (k) Improvements in livestock breeding, disease control, including vaccine production, and provision of animal feed;

2. *Urges* that the least developed countries continue to take all necessary steps to allocate an appropriate share of domestic resources to rural development, as recommended, for example, by the Assembly of the Heads of State and Government of the Organization of African Unity at its twenty-first ordinary session, held at Addis Ababa from 18 to 20 July 1985;¹¹²

3. *Urges* donors to support increasingly the least developed countries in devising and implementing the above-mentioned policies and programmes with technical and financial aid in order directly to improve agricultural production and living conditions in rural areas;

4. *Requests* donors to make clearer commitments for assistance, including food aid, which is to be integrated into longer-term agricultural and food strategies, so as to ensure that sufficient food is available to the least developed countries during the period in which the least developed countries concerned have not reached their objectives of self-reliance in food;

5. *Requests* the least developed countries and donors to recognize that their policies should be complementary in order to achieve the goals of sound agricultural development and complete food security;

II

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

Recognizing that for the least developed countries human resources and social development are of critical importance, noting that public expenditures on development of education, improvement of health services and population measures are investments for the future of the least developed countries, that rehabilitation and maintenance of existing facilities are essential and that involvement of local initiatives, support, motivation and participation of the people are crucial and noting further that many least developed countries have taken important initiatives in this regard,

1. *Urges* the least developed countries to devise and to implement, with the assistance of donors, concrete plans in the following areas:

(a) Education and training

- (i) Universal primary education and universal adult literacy, bearing in mind the second Medium-Term Plan of the United Nations Educational, Scientific and Cultural Organization (1984-1989), emphasizing the need to narrow the disparities between men and women and to improve the quality of education;
- (ii) Vocational training, including on-the-job training, for development projects;
- (iii) Educational programmes geared to meet the priority needs of the rural population;
- (iv) Special training of rural youth, also to limit further migration to urban areas;

¹¹¹ See also "Statements made in connection with the adoption of the conclusions and recommendations of the Intergovernmental Group" (A/40/827, p. 39).

¹¹² See A/40/666, annex I.

- (v) Labour-intensive and other appropriate technologies;
 - (vi) Increasing the availability of skilled manpower, particularly with administrative, managerial and development planning ability;
 - (vii) Raising the importance ascribed to productive activities and manual work, particularly in farming, at primary and higher levels of education;
- (b) *Health and nutrition*
- (i) Improved access to health services for the entire population, emphasizing primary health care, preventive medicine, supply of essential drugs and simple and less expensive techniques;
 - (ii) Strengthening the health infrastructure, including management, and establishing planning cycles for this purpose within the national development process of each least developed country;
 - (iii) Development of national health manpower;
 - (iv) Promotion and management of supply and storage of drugs, appropriate health technologies and basic health education;
 - (v) Integration of nutritional considerations into agricultural and health plans and policies;
 - (vi) Improved co-ordination in rural development programmes such as water supply and sanitation;
- (c) *Population*

Integration of population policies into national development planning, emphasizing mother and child health care and family planning services as recommended by the International Conference on Population, 1984;¹¹³

2. *Requests* increased support from donors and multilateral agencies for these highly important areas not only in terms of financial and technical aid but also in terms of a predictable and comprehensive package of aid measures including, as far as possible, local and recurrent costs in order to maintain existing facilities;

III

POSITION OF WOMEN

1. *Urges* all countries to implement the conclusions and recommendations of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace;¹¹⁴
2. *Emphasizes* the need to ensure the full integration of women in all aspects of the development process in the least developed countries;
3. *Requests* the Governments of the least developed countries to show continuous awareness of the position of women as a critical factor for their development by strengthening their efforts to take the necessary steps to overcome cultural, legal and economic barriers that hamper the full participation of women in development and in the equitable sharing of the benefits of economic and social development;
4. *Urges* donors, in their support of development programmes and projects in the least developed countries, to give particular attention to their effect on the situation of women, including attention to ensuring that they do not inadvertently have negative consequences for women;

IV

ENERGY

1. *Calls upon* the least developed countries to include in their energy development plans measures for energy conservation and to assess the pattern of consumption of energy sources, including fuelwood, and its impact on the environment;
2. *Requests* developed donor countries and other countries in a position to do so to assist the least developed countries in the planning and implementation of these measures and to support as fully as possible measures to ensure energy supply and conservation, particularly through the development of renewable sources of energy as well as through reforestation;

V

INDUSTRIAL DEVELOPMENT

Recognizing that industrial development is an important objective in overcoming under-development, in terms of employment and of the need for economic diversification,

Recognizing also that in many least developed countries the priority of agro-industry is reflected in policies for industrial development,

Noting resolution 6 adopted on 19 August 1984 by the Fourth General Conference of the United Nations Industrial Development Organization,¹¹⁵

1. *Stresses* that the least developed countries should:

- (a) Continue to give priority in their industrial development to agro-industry, industries producing agricultural inputs and industries based on local raw materials;
- (b) Favour the development of national productive enterprises, in particular small- and medium-scale, labour-intensive enterprises;
- (c) Improve further the economic, legal and financial framework for industrial development and for all forms of international co-operation, including joint ventures between enterprises of least developed countries and those of other countries, within the context of national policies and priorities;
- (d) Give priority to the maintenance and full use of existing industrial capacity;
- (e) Seek appropriate technologies adapted to local needs and capacities for maintenance and repair;
- (f) Use the full potential of the State, but also improve the incentives for entrepreneurship and support for local initiatives according to national policies;

2. *Calls upon* donor countries:

- (a) To increase their effective support to the least developed countries in carrying out these measures in the light of the agreed priority noted above;
- (b) To base their contributions firmly on local initiatives and involvement;
- (c) To combine technical and management training with financial assistance;
- (d) To provide assistance where possible on a multi-year basis;
- (e) To assist in developing local sources of raw materials where necessary to make local industry less vulnerable to balance-of-payments problems;

VI

PHYSICAL AND INSTITUTIONAL INFRASTRUCTURES

Recognizing the primary importance for the least developed countries of overcoming bottle-necks in institutional and physical infrastructures,

Recognizing also that for the implementation of the Substantial New Programme of Action increased attention should be paid, in particular, to the strengthening of institutional capacity, which has an important bearing on, *inter alia*, effectiveness of development aid programmes, disaster relief and aid co-ordination,

1. *Requests* the least developed countries further to strengthen their planning, monitoring, evaluation and executing capacity, in particular so that it is geared to creating a policy framework that enables efficient and effective use of the possibilities for development in each country;
2. *Also requests* the least developed countries, with regard to physical infrastructure, to take steps to ensure that the existing capacity is fully used and that recurrent costs for maintenance and investments for balancing, modernization and replacement are covered, taking into account that foreign assistance will be needed in the short term in many least developed countries since in many cases it will not be possible to cover those costs fully from domestic resources;
3. *Calls upon* donors to support the least developed countries with technical and long-term financial assistance to improve their physical and institutional infrastructures;
4. *Further calls upon* donors to pay special attention to transport facilities and transit links of the least developed countries, in particular of the land-locked and island countries among them;
5. *Underlines* the special importance of feeder roads and tracks for opening up remote rural areas so as to increase accessibility to markets of their agricultural products and to facilitate delivery of emergency assistance;

¹¹³ See Report of the International Conference on Population, 1984, Mexico City, 6-14 August 1984 (United Nations publication, Sales No. E.84.XIII.8 and corrigenda).

¹¹⁴ See Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Develop-

ment and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I.

¹¹⁵ See ID/CONF.5/46 and Corr.1, chap. II, sect. B.

VII

ENVIRONMENT

Recognizing the close interrelationship between poverty and the environment,

Further recognizing that conflict may exist between the immediate needs of people in the least developed countries and the need for environmental protection,

1. *Urges* all least developed countries and donors to take into account increasingly the environmental implications of development actions, notably the problem of desertification;
2. *Requests* donors to support actions by the least developed countries in terms of environmental protection, including, in particular, soil conservation, afforestation, reforestation and identification and conservation of water resources;
3. *Requests* the least developed countries to give increasing attention to the integration of environmental issues into development planning and to the active participation of the local population in all measures taken;

VIII

LAND-LOCKED AND ISLAND COUNTRIES AMONG THE LEAST DEVELOPED COUNTRIES

Recognizing the specific problems of land-locked and island countries among the least developed countries, as reflected in United Nations Conference on Trade and Development resolutions 137 (VI) and 138 (VI) of 2 July 1983³⁸ and Trade and Development Board resolution 319 (XXXI) of 27 September 1985,³⁹

1. *Calls upon* transit countries to intensify co-operation with the land-locked countries among the least developed countries in order to alleviate their transit-transport problems;
2. *Requests* donors to give attention to land-locked and island countries among the least developed countries in their technical and financial assistance, with particular focus on capital input in infrastructural development;
3. *Requests* the United Nations system, in particular the United Nations Development Programme, to continue to support those least developed countries in the solution of their specific transit-transport and communications problems;

IX

DISASTER RELIEF

Recognizing that natural and man-made disasters have seriously aggravated the already difficult situation of the least developed countries,

1. *Requests* the Governments of the least developed countries, within the context of their national policies and priorities, to increase their capacity to respond to disasters and to allow the free flow of relief materials to all those affected;
2. *Stresses* the need for better co-ordination of efforts at both the national and the international levels;
3. *Requests* donors to help the least developed countries, while fully respecting their sovereignty, to bring relief to the people affected by disaster by including in their assistance, *inter alia*, support for logistics and transport capacity;
4. *Urges* donors to assist the least developed countries not only in a situation when a disaster occurs, but also in strengthening the capacity of those countries to face disasters, including an extended early warning system for natural disasters as well as food storage facilities;
5. *Calls upon* all countries to ensure that food-aid and other supplies to relieve the suffering can reach the country in need in the fastest and most effective way;
6. *Calls upon* donors and the least developed countries to take into consideration longer-term development objectives when implementing emergency assistance measures, in particular with regard to production and distribution of food;
7. *Encourages* all countries to continue to promote the participation of non-governmental organizations and the general public in relief efforts;

X

MOBILIZATION OF DOMESTIC RESOURCES

1. *Urges* the least developed countries to create an appropriate policy framework (pricing policies, institutional reform, rationalization of public expenditures and public sector management, and measures to mobilize domestic savings through taxation, domestic financial institutions and the rural sector) in order to increase the mobilization of domestic resources

and then ensure their effective use, and to strengthen their national financial and planning institutions;

2. *Urges* developed donor countries and multilateral institutions to support the least developed countries with technical assistance to strengthen their planning and financial institutions and to assist by providing financial assistance for the purpose of stimulating the mobilization of domestic resources;

XI

TRANSFER OF FINANCIAL RESOURCES

Recognizing that action by the least developed countries at the national level, including vigorous measures for the mobilization of domestic resources, should be complemented by international measures of support both through a substantial increase in financial resource transfers and through policies and programmes affecting the modalities of assistance,

1. *Calls upon* the international community to continue to make special efforts to increase its contributions in view of the fact 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;
2. *Reaffirms* United Nations Conference on Trade and Development resolution 142 (VI) of 2 July 1983³⁸ as adopted, in which the Conference urged donor countries within the overall context of the Programme 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;
3. *Expresses its appreciation* that since 1981 several donor countries have reached 0.15 per cent of GNP as official development assistance or have doubled that assistance to least developed countries;
4. *Appeals* to those donor countries that have not yet contributed 0.15 per cent of their GNP, or have not yet doubled their official development assistance to least developed countries, to make every effort necessary to attain these targets as contained in resolution 142 (VI);
5. *Stresses* the critical importance of multilateral assistance to the least developed countries through channels such as the International Development Association, the International Fund for Agricultural Development, regional development banks and their funds, the United Nations Development Programme, including its Special Measures Fund for the Least Developed Countries, the United Nations Capital Development Fund and the United Nations Volunteers programme;
6. *Calls upon* donor countries to channel a substantial part of their aid through multilateral development institutions and agencies, particularly those addressing the needs of the least developed countries, within the overall substantial increases of official development assistance to least developed countries;
7. *Stresses* the important role that the International Development Association plays in structural adjustment programmes of the least developed countries within the framework of the Substantial New Programme of Action, while noting with regret that the Seventh Replenishment of the Association was lower than the Sixth Replenishment and welcoming the fact that the Development Committee at its twenty-seventh meeting, held at Seoul on 7 October 1985, urged that a successful and adequate Eighth Replenishment be achieved by September 1986;

XII

DEBT

Recognizing that the burden of debt and debt service has increased substantially for the least developed countries since the adoption of the Substantial New Programme of Action,

Recognizing also that it is in the interest of both creditors and debtors that the debt commitments of the least developed countries are met,

1. *Notes with satisfaction* that a number of donor countries have responded favourably to section A of Trade and Development Board resolution 165 (S-IX) of 11 March 1978¹⁰⁹ by cancellation of official development assistance debt or other equivalent measures and firmly invites other donors that have not yet done so to implement fully commitments undertaken in pursuance of the resolution, keeping in mind paragraph 71 of the Substantial New Programme of Action;
2. *Further notes* that the repayment of debt to multilateral assistance institutions is one of the elements in the overall debt service burden of the least developed countries and invites those institutions to take this into account in their lending programmes for the least developed countries;

3. *Invites* creditors for official and officially guaranteed loans to the least developed countries when concluding a debt rescheduling arrangement for a least developed country, to give due consideration to, *inter alia*, the debtor country's adjustment measures for restoration of its debt-servicing capacity and long-term growth;

4. *Invites* donors and relevant international organizations to assist the least developed countries in strengthening their administrative structures in order to permit continuous monitoring and effective management of the debt of the least developed countries, its structures and service payment schedules;

5. *Recommends* that in the context of a review of the economic and financial situation of a least developed country, country review meetings may also take into account its debt situation;

XIII

AID MODALITIES

1. *Recognizes* that, in terms of aid modalities:

(a) Clear medium-term perspectives and greater predictability of the volume and forms of the resources available are important to the least developed countries and to the donor community to enable the latter to adapt assistance flexibly and effectively to the changing needs, objectives and priority of the least developed countries;

(b) In order to minimize delays in disbursement, advance payments should be made whenever appropriate and solutions to problems of disbursement should be sought by all parties;

2. *Urges* donors to take the necessary steps to ensure that:

(a) Bilateral official development assistance to the least developed countries is provided essentially in the form of grants, acknowledging, however, that increased flows may require a mixture of types of aid, such as grants, concessional loans and other forms of assistance;

(b) Multilateral development assistance agencies and institutions addressing the needs of the least developed countries provide credits to them on highly concessional terms, to the extent that their lending procedures permit;

(c) Aid to the least developed countries is untied to the maximum extent possible; when not possible, necessary steps should be taken to help offset the disadvantages of tying;

(d) Transactions financed by any type of associated financing are generally avoided for the least developed countries because of their relatively hard terms; if contracted, it should be ensured that such transactions with the least developed countries contain a high component of official development assistance;

3. *Recommends* with regard to different forms and types of aid, that:

(a) Particularly in support of domestic adjustment measures of the least developed countries, donors should provide aid in more flexible forms, in particular balance-of-payments support, and at a sectoral level, for rehabilitation and improved maintenance, as well as for longer-term development objectives;

(b) Donors should further increase, where appropriate, their participation in local and recurrent cost financing; adequate provisions should also be made for allowing a progressive take-over of recurrent costs by the least developed countries;

(c) Aid programmes should provide, as much as possible, for the use of local consultants and expertise;

4. *Concludes*, with regard to technical assistance, that:

(a) Because of the need for the development of human resources, technical assistance by donors is of primary importance and should accompany financial aid to the maximum extent possible;

(b) It is important further to integrate different technical co-operation inputs, including the provision of equipment;

(c) Appropriate co-ordination by the least developed countries of technical assistance is of primary importance; donors are requested to support the strengthening of aid administration and planning agencies in the least developed countries with a view to improving co-ordination capabilities at a national level;

(d) Increased attention should be paid by donors and the least developed countries to the appointment of suitable expatriate experts for the training of counterparts, to maintaining stability in their assignments, and to strengthening training institutions in the least developed countries;

XIV

FOREIGN TRADE AND COMMERCIAL POLICY MEASURES

Noting with concern the problems facing the foreign trade sector of the least developed countries as referred to in paragraph 65 of the review, in part one above,

1. *Recognizes* the progress achieved in providing access for products of the least developed countries to the markets of industrialized countries, particularly under the Generalized System of Preferences;

2. *Notes* as a positive development the initiative of the European Economic Community in establishing a system similar to STABEX¹¹⁰ for those least developed countries not parties to the Lomé Convention;

3. *Recommends* that the least developed countries give special attention to implementing the measures set out in paragraphs 56 to 58 of the Substantial New Programme of Action, giving particular emphasis to the factors identified in paragraph 51 of the review, in part one above;

4. *Invites* the least developed countries to utilize fully the opportunities that are already available in the field of market access, in particular under the Generalized System of Preferences;

5. *Calls upon* the international community to intensify efforts to strengthen and improve the open multilateral trading system aimed at benefiting all countries, keeping in view the specific needs of the least developed countries;

6. *Invites* all countries concerned to pursue action towards facilitating the trade of the least developed countries by reducing or eliminating tariff and non-tariff obstacles to their exports, in pursuance of paragraph 77 of the Substantial New Programme of Action and 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;⁴⁵

7. *Requests* the preference-giving countries that have not yet done so to make further improvements for the least developed countries on a non-discriminatory basis in their schemes under the Generalized System of Preferences through, *inter alia*, more flexible requirements for rules of origin, extension of the list of products that receive preferential treatment, and extension of the duration of these schemes for a reasonable period, in order to facilitate the fullest possible duty-free access to products of interest to the least developed countries;

8. *Calls upon* developed countries to provide the necessary resources to strengthen technical assistance facilities so that the least developed countries can fully benefit from the Generalized System of Preferences;

9. *Also calls upon* developed countries in a position to do so to explore the possibilities of promoting long-term arrangements for the sale of export products of the least developed countries, pursuant to paragraph 79 (c) of the Substantial New Programme of Action;

10. *Invites* developed countries and multilateral agencies, including the International Trade Centre UNCTAD/GATT and the United Nations Conference on Trade and Development, to provide appropriate technical and financial assistance to support export strategies and trade promotion efforts of the least developed countries;

11. *Calls upon* the developing countries in a position to do so to provide preferential treatment to imports of goods produced by the least developed countries, pursuant to United Nations Conference on Trade and Development resolution 142 (VI),³⁸ paragraph 13 (a);

12. *Invites* all countries to intensify their efforts for a broader utilization, where appropriate and feasible, of international commodity agreements for the stabilization of the export prices of the least developed countries;

13. *Requests* the international community to take appropriate steps to bring the Common Fund for Commodities into operation at an early date, which, once operational, should give due emphasis to commodities of interest to the least developed countries in determining its priorities for the use of resources of the Second Account;

14. *Invites* importing developed countries that have not yet done so to consider steps in the field of export earnings stabilization, in accordance with paragraph 83 of the Substantial New Programme of Action, and notes the establishment of an intergovernmental group of experts, as decided by Trade and Development Board decision 317 (S-XIV) of 27 June 1985,¹¹⁶ to consider, *inter alia*, this matter;

15. *Invites* the International Monetary Fund to explore, within its existing rules, ways and means of improving the use of its compensatory financing facility by least developed countries;

¹¹⁶ Official Records of the General Assembly, Fortieth Session, Supplement No. 15 (A/40/15), vol. I, part two, sect. II.A.

XV

ECONOMIC CO-OPERATION AMONG DEVELOPING COUNTRIES

1. *Calls upon* all developing countries to implement the recommendations on economic co-operation among developing countries, as contained in United Nations Conference on Trade and Development resolution 142 (VI);
2. *Requests* all donor countries and multilateral organizations to support and strengthen economic co-operation among developing countries, in particular concerning the projects of special interest to the least developed countries, in order to ensure that the countries concerned will fully benefit from the results of such co-operation;

XVI

ROLE OF NON-GOVERNMENTAL ORGANIZATIONS

Recognizing that non-governmental organizations can contribute positively to the development of the least developed countries as well as provide valuable disaster relief,

1. *Calls upon* the Governments of the least developed countries and donors to encourage active participation of the local population, both women and men, through non-governmental entities;
2. *Calls upon* non-governmental organizations to comply with the national policies and legislation of the host countries and, while preserving their character, to contribute to the development priorities of the least developed countries, co-operating with appropriate authorities and organizations in order to implement effective development programmes;
3. *Invites* the non-governmental organizations of the donor countries to reinforce their role in consciousness-raising in their countries of origin and in mobilizing increased private and public resources for the benefit of the least developed countries;

XVII

CO-ORDINATION AND MONITORING

1. *Reaffirms* the importance of co-ordination, follow-up and monitoring at the national, regional and global levels as crucial to the implementation of the Substantial New Programme of Action;
2. *Reaffirms also* the monitoring role of the United Nations Conference on Trade and Development at the global level and requests the Secretary-General of the United Nations Conference on Trade and Development to continue and intensify his work, as specified in paragraph 121 of the Substantial New Programme of Action;
3. *Welcomes* the growing attention to co-ordination at the national level;
4. *Recognizes* that effective co-ordination, monitoring and follow-up at the national level must be a continuous process;
5. *Endorses* the results concerning the co-ordination of assistance programmes of the Meeting of Governmental Experts of Donor Countries and Multilateral and Bilateral Financial and Technical Assistance Institutions with Representatives of the Least Developed Countries as part of Preparation for the Mid-term Global Review of the Substantial New Programme of Action, held at Geneva in May 1985;¹¹⁷
6. *Welcomes* the steps taken by the World Bank and the United Nations Development Programme to improve the consultative groups and round-table meetings by, *inter alia*, enhancing co-operation among multilateral institutions and agencies, as well as efforts made with the help of the Special Measures Fund of the United Nations Development Programme and voluntary contributions and specific contributions of donor countries for the least developed countries;
7. *Emphasizes* the primary role of each least developed country in the co-ordination of aid activities;
8. *Further emphasizes* the importance of co-ordination in each least developed country at the sectoral level in order to ensure the greatest possible effectiveness of development activities;
9. *Requests* the Governments of the least developed countries to continue to strengthen their planning machinery and administrative capacity so as to improve the planning, negotiation and utilization of external assistance;
10. *Requests* the least developed countries, with the assistance of the lead agencies, to attend to the quality and early availability of preparatory

¹¹⁷ See TD/B/1055 and Corr.1, part two.

¹¹⁸ See *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 3 (A/38/3)*, chap. II, paras. 61-64.

¹¹⁹ A/40/591.

documents for round-table conferences and meetings of consultative groups, which are essential for their success;

11. *Requests* the multilateral agencies to improve further the quality, coherence and timeliness of the background documentation they present at round-table conferences and meetings of consultative groups;
12. *Requests* donor countries and multilateral institutions to pay more attention to appropriate local representation and sectoral co-ordination;
13. *Urges* donors in a position to do so to support development plans or programmes of the least developed countries with multi-year, predictable and monitorable commitments and timely disbursements;
14. *Calls upon* the organizations of the United Nations system to co-operate closely in each least developed country under the aegis of the resident co-ordinator, as provided for in paragraph 124 of the Substantial New Programme of Action;
15. *Reiterates* paragraph 123 of the Substantial New Programme of Action, in which the Director-General for Development and International Economic Co-operation is called upon, 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 groups, to ensure at the secretariat level the full mobilization and co-ordination of all organs, organizations and bodies of the United Nations system for the purpose of implementation and follow-up of the Programme;
16. *Urges* the resident co-ordinators of the United Nations system to respond constructively to requests by the Governments of the host countries to play a broader co-ordinating role in appropriate cases;
17. *Requests* the international community and the multilateral agencies:
 - (a) To ensure that review meetings result in facilitating an increased flow of external assistance through, *inter alia*, a better understanding and a candid dialogue between the least developed countries and their development partners;
 - (b) To harmonize terms and procedures of donors to the extent possible in order to achieve a co-ordinated approach conducive to the implementation of the development programmes of the least developed countries.

40/206. **New international human order: moral aspects of development**

The General Assembly,

Recalling its resolutions 37/225 of 20 December 1982 and 38/170 of 19 December 1983 entitled "New international human order: moral aspects of development", as well as the report of the Economic and Social Council on its consideration of this question¹¹⁸ and Council decision 1983/171 of 25 July 1983,

Having considered the report of the Secretary-General¹¹⁹ containing the responses of Governments concerning the question,

Taking into account the views expressed on the question in the Second Committee,¹²⁰

1. *Requests* Member States to submit to the Secretary-General additional comments and suggestions on the question;
2. *Decides* to consider the question at its forty-second session on the basis of a report of the Secretary-General taking into account suggestions of Member States.

*119th plenary meeting
17 December 1985*

40/207. **Long-term trends in economic 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

¹²⁰ See *Official Records of the General Assembly, Fortieth Session, Second Committee, 24th and 30th meetings; and ibid., Second Committee, Sessional Fascicle, corrigendum.*

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 also its resolutions 3508 (XXX) of 15 December 1975, by which it initiated the analytical work relating to the examination within the United Nations system of long-term trends in world economic and social development, and 37/249 of 21 December 1982, by which it decided, *inter alia*, that the overall socio-economic perspective of the world economy to the year 2000 should be revised and updated,

Recalling further its resolution 32/197 of 20 December 1977 on the restructuring of the economic and social sectors of the United Nations system, by which it decided, *inter alia*, to undertake in-depth intersectoral analyses and syntheses of development issues and to identify and bring to the attention of Governments emerging economic and social issues of international concern,

Affirming the need for an effective and timely response to unforeseen international economic problems,

Taking into account that 1985 marks the fortieth anniversary of the founding of the United Nations and that the implementation of Article 55 of the Charter will contribute to the creation of the conditions of sustained growth, stability and well-being which are necessary for peaceful and friendly relations among nations,

Mindful that the maintenance of peace and security, the promotion of disarmament, mutual trust and the strengthening of international co-operation would contribute to the improvement of the overall socio-economic perspective of all countries,

Concerned that low growth rates would have serious repercussions for the world economy, in particular for the developing countries,

Noting with grave concern that Africa is the only continent in which standards of living have declined over the past decade and that, as underscored by all forecasts, the real economic growth per capita will remain near zero or will be negative, on average, until the year 2000 unless drastic action is taken,

Reaffirming the relevance of long-term perspectives for providing impetus to policies and decision-making processes in relation to development strategies and economic co-operation on a national, regional and global scale,

1. *Takes note* of the report of the Secretary-General on the overall socio-economic perspective of the world economy to the year 2000;¹²¹

2. *Decides*, subject to review of the next report at the forty-second session of the General Assembly, to continue the submission of reports on the overall socio-economic perspective of the world economy to the year 2000, which should be prepared so that they contribute to the identification of potential problem areas and critical issues in the world economy;

3. *Requests* the Secretary-General, when preparing the report, to give special attention to the impact on economic and social development of trends and prospective changes in, *inter alia*, international trade, financial flows and debt problems, including the net outflow of resources from developing to developed countries, technological change and the transfer of technology to developing countries, capital formation and investment patterns, development of human resources, the allocation of public resources between developmental and non-developmental purposes,

environmental issues, economic co-operation and integration among developing countries, the implications of different economic and development policies, special problems faced by the least developed countries and the critical economic situation in Africa;

4. *Also requests* the Secretary-General, in preparing the report, to take into account socio-economic analyses that give special attention to mechanisms and forms of international economic co-operation aimed at facilitating structural adjustment within the world economy towards the new international economic order;

5. *Further requests* the Secretary-General to convene, if necessary, a meeting of a group of experts, acting in their personal capacity, to elaborate on the elements of the report specified above, and invites the Committee for Development Planning to review progress in the preparation of the report;

6. *Calls upon* the relevant organs, organizations and bodies of the United Nations system, including the Administrative Committee on Co-ordination Task Force on Long-term Development Objectives, to contribute, in their respective areas of competence, to the preparation of the report;

7. *Decides* to include in the provisional agenda of its forty-second session an item entitled "Long-term trends in social and economic development", and requests the Secretary-General to submit to it at that session, through the Economic and Social Council, the report on the overall socio-economic perspective of the world economy to the year 2000, together with the views and recommendations of the Committee for Development Planning.

*119th plenary meeting
17 December 1985*

40/208. 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, 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 also its resolutions 37/251 of 21 December 1982, 38/151 of 19 December 1983 and 39/176 of 17 December 1984 on the development of the energy resources of developing countries,

Reaffirming the importance of the development of the energy resources of developing countries and the need for measures by the international community to assist and support the efforts of the developing countries, in particular the energy-deficient among them, for developing their energy resources, 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,

1. *Reaffirms* its resolutions 38/151 and 39/176 and calls for the effective implementation of all their provisions;

¹²¹ A/40/519.

2. *Takes note* of the reports of the Secretary-General on the development of the energy resources of developing countries;¹²²

3. *Welcomes* the convening of symposia and other similar undertakings called for in resolutions 38/151 and 39/176 and calls upon interested Member States, in co-operation with the appropriate organs, organizations and bodies of the United Nations system, to continue to explore ways and means to support the efforts of developing countries in the exploration and development of their energy resources;

4. *Requests* the Secretary-General to continue to undertake appropriate studies and analyses of trends in energy exploration and development, taking into account the activities of relevant organizations of the United Nations system in this field, including the results of the joint United Nations Development Programme/World Bank energy sector assessment programme and the suggestions resulting from the symposia held,¹²³ as called for in resolutions 38/151 and 39/176, and to report to the General Assembly at its forty-first session, through the Economic and Social Council at its second regular session of 1986.

*119th plenary meeting
17 December 1985*

40/209. Desertification and drought

The General Assembly,

Aware of the importance of problems relating to desertification and drought for a large number of countries,

Bearing in mind that such problems are discussed under a number of agenda items in the Second Committee,

1. *Emphasizes* the importance of existing mandates under its resolutions relating to desertification and drought;

2. *Requests* the Secretary-General to ensure that all problems relating to desertification and drought will be considered in future years under one sub-item, to be entitled "Desertification and drought", under the item entitled "Development and international economic co-operation" and will be dealt with in odd years, in accordance with the biennial programme of work of the Second Committee.

*119th plenary meeting
17 December 1985*

40/210. Fortieth anniversary of the United Nations Children's Fund

The General Assembly,

Recalling that, by its resolution 57 (I) of 11 December 1946, it established the United Nations Children's Fund as a manifestation of the responsibility of nations and society for children as the most vital resource of the future world, and noting that the year 1986 represents the fortieth anniversary of this expression of commitment to children,

Reaffirming the principles and guidelines for programme activities established by the Executive Board of the United Nations Children's Fund in its efforts to bring about a major world-wide improvement in child survival and child development, taking special advantage of new devel-

opments in primary health care techniques and in communications,

Acutely aware that the effect of the adverse global economic situation is more severe on vulnerable groups, such as children, particularly in developing countries, and therefore makes the need for the efforts of the United Nations Children's Fund all the more critical,

Noting that the fortieth anniversary of the United Nations Children's Fund presents a unique opportunity for advancing the above-mentioned principles, which have the potential for a virtual revolution in child survival,

Aware that many developing countries have recently embarked upon major child survival and development efforts and noting with appreciation in this regard the positive response of many world leaders to the commendable initiative taken by the Secretary-General on the occasion of the fortieth anniversary of the United Nations, regarding the renewed potential for achieving the goal of universal child immunization by 1990, which is an important part of the primary health care strategy,

Welcoming the continued co-operation between the United Nations Children's Fund and the World Health Organization in achieving their common objective, particularly as it relates to the goal of universal child immunization by 1990,

1. *Urges* that the fortieth anniversary of the United Nations Children's Fund be observed by intensifying the ongoing efforts towards attaining the objectives relating to children envisaged in the International Development Strategy for the Third United Nations Development Decade¹²⁴ and notes the important role of the child survival and child development strategy in meeting those objectives;

2. *Notes* that "Children first" has been adopted by the Executive Board of the United Nations Children's Fund as the umbrella theme for the observance of the fortieth anniversary of the Fund;

3. *Calls upon* the United Nations Children's Fund, with the participation of Governments, the organizations of the United Nations system, non-governmental organizations and individuals, to commemorate the fortieth anniversary of the Fund by reaffirming, through commitment and action, the responsibility of the international community for the survival and development of children;

4. *Requests* the United Nations Children's Fund, with the guidance of its Executive Board, to continue to develop and promote appropriate means by which Governments, the United Nations and other international organizations, as well as individuals, may express this commitment, particularly during the period of the fortieth anniversary;

5. *Appeals* to all Governments to increase their support, assistance and contributions during the period of the fortieth anniversary and subsequently, so that the United Nations Children's Fund may be able to strengthen its co-operation with developing countries and respond to the urgent needs of children;

6. *Requests* all countries to observe the fortieth anniversary of the United Nations Children's Fund in a befitting manner, through governmental and non-governmental participation.

*120th plenary meeting
17 December 1985*

¹²² A/40/511 and Corr.1; A/40/637.

¹²³ See A/40/637, sect. III.

¹²⁴ Resolution 35/56, annex, para. 48.

40/211. Operational activities for development

The General Assembly,

Reaffirming the validity of its resolution 38/171 of 19 December 1983 on the comprehensive policy review of operational activities for development,

Reaffirming also its resolution 39/220 of 18 December 1984 on financing of operational activities for development, as well as its resolution 32/197 of 20 December 1977 on the restructuring of the economic and social sectors of the United Nations,

Reaffirming 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,

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 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,

Reaffirming also the responsibility of developing countries to co-ordinate development co-operation, including the determination of local co-ordination arrangements,

Reaffirming further the responsibilities of the resident co-ordinators on behalf of the United Nations system with respect to co-ordination of operational activities carried out by the United Nations system at the country level in accordance with their mandate,

Reaffirming the important contribution of operational activities for development of the United Nations system in support of the overall economic and social development of developing countries,

Reiterating its desire for a coherent and co-ordinated United Nations system in the field of operational activities for development and for effective leadership by the Director-General for Development and International Economic Co-operation in the co-ordination of the various components of the United Nations system and in exercising overall co-ordination within the system, as set forth in resolution 32/197, as well as its call for full co-operation with the Director-General by all organs, organizations and bodies of the United Nations system,

Noting the steps being taken by the United Nations Development Programme, the United Nations Fund for Population Activities, the United Nations Children's Fund and the World Food Programme, through the joint consultative group on policy to enhance their collaboration in programming and implementation,

Welcoming the decisions of the governing bodies of the relevant United Nations organizations to strengthen their efforts in response to the emergency situation in Africa, and welcoming the co-ordinated response of the United Nations organizations in support of relief operations in Africa and the co-ordination of such assistance through the United Nations Office for Emergency Operations in Africa, as well as the related arrangements at the country level,

Recognizing, in this regard, the need for additional financial resources to meet the urgent development needs of African countries,

Emphasizing the need for a significant, continuous and real increase in resources for operational activities to meet

the growing requirements for development of the developing countries, in particular the least developed countries,

Expressing its appreciation to those Governments of both developed and developing countries that, at the 1985 United Nations Pledging Conference for Development Activities,¹²⁵ announced increased contributions for operational activities for development for the year 1986, as well as to those Governments that have consistently maintained their contributions at a high level,

Having examined the report of the Director-General for Development and International Economic Co-operation on operational activities for development of the United Nations system,¹²⁶

1. *Requests* the Director-General for Development and International Economic Co-operation, within a general framework of broad objectives of operational activities in accordance with General Assembly resolution 32/197, to include the following in his report for the 1986 comprehensive policy review, in addition to the requests contained in General Assembly resolution 38/171 and the issues identified in paragraph 3 of the report of the Director-General for 1985¹²⁶ and to make recommendations, as appropriate, thereon:

(a) Measures to strengthen the existing mechanisms within the United Nations system, with a view to furthering the coherence and co-ordination of operational activities;

(b) An analysis of the relationship between the increasing responsibilities of the United Nations Development Programme in the area of co-ordination and its essential role in the provision of technical co-operation;

(c) An analysis of changing requirements for technical co-operation through multilateral channels and the responsiveness of the United Nations system to them;

(d) Further analysis of programme delivery and administrative and support costs;

(e) Developments regarding joint technical co-operation needs assessments;

(f) Steps taken by United Nations organizations engaged in operational activities to promote the participation of women in development;

(g) An analysis of the response of the United Nations system in assisting developing countries in the strengthening of their co-ordination capacity;

(h) Actions taken to increase programme effectiveness through, *inter alia*, evaluation;

(i) Efforts undertaken to expand the geographical distribution of the sources of supply, including in underutilized donor and developing countries, for the operational activities of the United Nations system;

2. *Emphasizes* the importance of the round-table country review process and other mechanisms for co-ordination at the country level in facilitating the effective implementation of the development programmes in the countries concerned;

3. *Takes note* of the report of the Governing Council of the United Nations Development Programme for the year 1985¹²⁷ and the decisions contained therein;

4. *Reaffirms* the central funding role of the United Nations Development Programme in the field of technical co-operation for development;

5. *Calls upon* all States to make every effort to attain the planned funding levels for operational activities for development by the various organizations of the United Nations system, and urges the successful completion of the

¹²⁵ See A/CONF.132/SR.1 to 3 and corrigendum.

¹²⁶ A/40/698 and Corr.1, annex.

¹²⁷ *Official Records of the Economic and Social Council, 1985, Supplement No. 11 (E/1985/32 and Corr.1).*

current negotiations on the replenishment of the International Fund for Agricultural Development to enable it to maintain its effective contribution to agricultural and food development, as well as the early consideration and completion of the eighth replenishment of the International Development Association at an adequate level;

6. *Expresses its deep concern* about the shortfall of resources of the United Nations Fund for Population Activities and the impact on its ability to carry out its planned programmes, and urges all countries to continue and increase their support for the Fund;

7. *Requests* the Director-General for Development and International Economic Co-operation to report on the results of the efforts to increase collaboration between the Department of Technical Co-operation for Development and the United Nations Development Programme;

8. *Requests* the Economic and Social Council, in discharging its responsibilities as defined in the annex to General Assembly resolution 32/197, to assist the Assembly in establishing overall strategies, policies and priorities for the system as a whole in respect of operational activities, and to formulate suggestions and recommendations at the time of its consideration of the 1986 comprehensive policy review;

9. *Invites* the governing bodies of the organizations of the United Nations system, where possible, to provide the Economic and Social Council at its second regular session of 1986 and the General Assembly at its forty-first session at the time of the 1986 comprehensive policy review of operational activities, their views on the system-wide policy issues affecting operational activities identified by the Assembly in its resolution 38/171 and in the present resolution, and also invites the organizations of the United Nations system to co-operate with the Director-General for Development and International Economic Co-operation in the preparation of his report for that review.

*120th plenary meeting
17 December 1985*

40/212. International Volunteer Day for Economic and Social Development

The General Assembly,

Taking note of the report of the Administrator of the United Nations Development Programme on the United Nations Volunteers programme,¹²⁸ and the relevant decision of the Governing Council,¹²⁹

Considering that volunteer service, including that of the United Nations Volunteers, is making an important contribution to socio-economic development activities,

Recognizing the desirability of stimulating the work of all volunteers both in the field and in organizations — multilateral, bilateral or national, non-governmental or government-supported — and of giving encouragement to those volunteers, many of whom engage in volunteer service at considerable personal sacrifice,

1. *Invites* Governments to observe annually, on 5 December, an International Volunteer Day for Economic and Social Development, and urges them to take measures to heighten awareness of the important contribution of volunteer service, thereby stimulating more people in all walks of life to offer their services as volunteers, both at home and abroad;

2. *Invites also* specialized agencies, other organizations of the United Nations system and non-governmental

organizations that provide, are affiliated with or benefit from volunteer service to undertake and promote activities to stimulate greater awareness of the contribution to their work made by volunteers;

3. *Requests* the Secretary-General to continue to promote world-wide publicity on the important role of volunteer service.

*120th plenary meeting
17 December 1985*

40/213. Role of qualified national personnel in the social and economic development of developing countries

The General Assembly,

Referring to its resolutions 33/135 of 19 December 1978, 35/80 of 5 December 1980, 37/228 of 20 December 1982 and 39/219 of 18 December 1984 on the role of qualified national personnel in the social and economic development of developing countries,

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, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Desiring to promote full implementation of the provisions of the International Development Strategy for the Third United Nations Development Decade concerning the important role of qualified national personnel in the achievement of the development goals of the developing countries,¹³⁰

Reaffirming the crucial role of human resources in the socio-economic development process of developing countries,

Taking into account the increasing importance of United Nations activities in the field of human resources development as they are envisaged in future years,

Recognizing that the training of qualified national personnel is an important and integral part of human resources development,

1. *Takes note* of the report of the Secretary-General on the role of qualified national personnel in the social and economic development of developing countries;¹³¹

2. *Reaffirms* the importance of implementing the provisions of its resolution 37/228;

3. *Requests* the Secretary-General to continue to monitor the further implementation of its resolution 39/219;

4. *Further requests* the Secretary-General to take into account the need for an integrated and multidisciplinary approach to all aspects of human resources development, in particular the training of qualified national personnel, in the programmes of work of the United Nations and the organizations of its system;

5. *Invites* the Secretary-General to continue his consultations with the Governments of Member States, in accordance with paragraph 2 of resolution 39/219, on the role of qualified national personnel in the social and economic development of developing countries, and to submit a progress report, through the Governing Council of the United Nations Development Programme and the

¹²⁸ DP/1985/44, chap. II.

¹²⁹ *Official Records of the Economic and Social Council, 1985, Supplement No. 11 (E/1985/32 and Corr. 1), annex I, decision 85/23.*

¹³⁰ Resolution 35/56, annex, para. 47.

¹³¹ A/40/549 and Add.1.

Economic and Social Council, to the General Assembly at its forty-second session.

*120th plenary meeting
17 December 1985*

40/214. Long-term financing and future of the United Nations Institute for Training and Research

The General Assembly,

Recalling its resolution 39/177 of 17 December 1984, in which it requested the Secretary-General to prepare a comprehensive study on the United Nations Institute for Training and Research, its activities in training and research, its funding and its future role, keeping in mind related activities within the United Nations system and the relevant provisions of the Statute of the Institute,¹³² in order to determine the most effective manner of discharging those functions, and to submit his report together with the comments of the Board of Trustees of the United Nations Institute for Training and Research thereon, to the General Assembly at its fortieth session,

Recalling also its resolutions 37/142 of 17 December 1982 and 38/177 of 19 December 1983, in which it called upon the Secretary-General to submit a report on long-term financing arrangements for the Institute which would place its financing on a more predictable, assured and continuous basis,

Having considered the report of the Secretary-General¹³³ and the statement made on 8 November 1985 by the Director-General for Development and International Economic Co-operation,¹³⁴

Noting with regret that, so far, no agreement has been reached on the future role and, in particular, the long-term funding of the Institute,

Noting also with regret that the 1985 United Nations Pledging Conference for Development Activities,¹²⁵ was unable to provide the General Fund of the United Nations Institute for Training and Research with the level of resources required to maintain the Institute as a viable entity during 1986,

Acknowledging with regret that voluntary contributions to the Institute have so far been insufficient to guarantee the level of resources needed to maintain it as a viable entity, and that it has not been possible to reach agreement on any of the three options for long-term financing arrangements for the Institute recommended by the Board of Trustees, namely, the setting up of a reserve fund, the adoption of a replenishment system or the establishment of an endowment fund,¹³⁵

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

2. Reaffirms the continuing relevance of the mandate entrusted to the United Nations Institute for Training and Research, namely, to enhance the effectiveness of the United Nations, and takes note of the view of the Secretary-General that this mandate continues to be essential to the functioning of the Organization today;

3. Takes note of the administrative, staffing and organizational arrangements outlined in the report of the Secretary-General on the future work of the Institute;

4. Stresses the need to take a final decision on the long-term financing and future of the Institute at the latest at

the forty-first session of the General Assembly and, to this end, requests the Secretary-General to prepare comprehensive specific plans for the future of the Institute based on two options contained in his report:¹³⁶

(a) To close down the Institute, including the possibility of re-allocating the functions of the Institute to other agencies and bodies throughout the United Nations system where those functions could be undertaken in an efficient and cost-effective manner;

(b) To restructure the Institute, including the possibility of transferring to the Institute appropriate ongoing and planned training and research functions of other agencies and bodies throughout the United Nations system;

such plans should include a detailed assessment of the financial implications of the two options, including a blueprint for a specific scheme for the long-term and stable funding of the Institute, which could be tried on an experimental basis;

5. Requests the Secretary-General to keep in mind, while preparing the plans requested in paragraph 4 above, the need for specific suggestions for the improvement of administrative arrangements to ensure cost-effectiveness;

6. Also requests the Secretary-General to consult, as appropriate, with all States and the Board of Trustees of the United Nations Institute for Training and Research before finalizing the plans, which should be submitted to the General Assembly not later than 1 September 1986;

7. Urges all States that have not yet contributed to the United Nations Institute for Training and Research to do so, and calls upon all countries, especially those donor countries that are not contributing at a level commensurate with their capacity, to increase their voluntary contributions in order to meet the needs of the Institute.

*120th plenary meeting
17 December 1985*

40/215. Assistance to Democratic Yemen

The General Assembly,

Recalling its resolution 39/184 of 17 December 1984 and 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,¹³⁷ 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,¹³⁸

Taking note of the report of the Secretary-General on assistance to Democratic Yemen,¹³⁹

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,

¹³² Official Records of the General Assembly, Twenty-second Session, Annexes, agenda item 45, document A/6875, annex III.

¹³³ A/40/788.

¹³⁴ See Official Records of the General Assembly, Fortieth Session, Second Committee, 29th meeting, paras. 13-15.

¹³⁵ A/39/148, para. 8.

¹³⁶ A/40/788, para. 5.

¹³⁷ See Official Records of the Economic and Social Council, 1982, Supplement No. 12 (E/1982/22), chap. I.

¹³⁸ See E/ECWA/156.

¹³⁹ A/40/435.

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 to 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. *Invites* 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 forty-first session on the progress made in the implementation of the present resolution.

*120th plenary meeting
17 December 1985*

40/216. Assistance to Equatorial Guinea

The General Assembly,

Recalling its resolutions 35/105 of 5 December 1980, 36/204 of 17 December 1981, 37/133 of 17 December 1982 and 38/224 of 20 December 1983,

Recalling also its resolution 39/181 of 17 December 1984, in which it earnestly called upon all Member States and international and regional organizations and other intergovernmental organizations, as well as international financial and development institutions and appropriate programmes of the United Nations system, especially the United Nations Development Programme and the United Nations Institute for Training and Research, to establish, maintain and expand their programmes of assistance to Equatorial Guinea, particularly in the areas of public administration and public finance in which a general transformation is required as a result of Equatorial Guinea's entry into the Central African Customs and Economic Union and the Bank of Central African States,

Recalling further that Equatorial Guinea is one of the least developed countries,

Having considered the report of the Secretary-General,¹⁴⁰ submitted pursuant to General Assembly resolution 39/181,

Noting that Equatorial Guinea, despite the efforts made by its Government and people, continues to be beset by serious economic and financial difficulties,

Recognizing the essential role of short-term, medium-term and long-term international assistance in support of the efforts of the Government of Equatorial Guinea in the task of reconstruction and development of the country,

1. *Takes note* of the report of the Secretary-General;
2. *Expresses its thanks* to the international community for its interest in and assistance to Equatorial Guinea;
3. *Also expresses its thanks* for the efforts made by the Secretary-General to organize and mobilize the necessary resources for an effective programme of assistance to Equatorial Guinea;
4. *Reiterates its appeal* to all Member States to continue to respond generously, through bilateral or multilateral channels, so as to meet the needs indicated in the programme presented in 1982 at the International Conference of Donors for the Economic Reactivation and Development of Equatorial Guinea held at Geneva in April 1982;
5. *Invites* all Member States and international and regional organizations and other intergovernmental organizations, as well as international financial and development institutions, to participate in the round-table meeting of donors to be held in Equatorial Guinea in 1986 for the evaluation of the 1982-1984 three-year programme presented at the International Conference of Donors for the Economic Reactivation and Development of Equatorial Guinea;

6. *Requests* the Secretary-General:

(a) To intensify 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 competent international financial institutions and to apprise the Economic and Social Council, at its second regular session of 1986, of the status of assistance to Equatorial Guinea;

(c) To submit to the General Assembly at its forty-first session a report on the economic situation of Equatorial Guinea and the progress made in implementing the present resolution;

7. *Requests* the Administrator of the United Nations Development Programme to ensure that the round-table conference to be held in Equatorial Guinea in 1986 receives the widest possible publicity among the bilateral and multilateral donors.

*120th plenary meeting
17 December 1985*

40/217. Assistance for the reconstruction, rehabilitation and development of the Central African Republic

The General Assembly,

Recalling its resolution 35/87 of 5 December 1980, in which it affirmed the urgent need for international action to assist the Government of the Central African Republic in its efforts for reconstruction, rehabilitation and development of the country and invited the international community to provide sufficient resources to carry out the programme of assistance to the Central African Republic,

Recalling also its resolutions 36/206 of 17 December 1981, 37/145 of 17 December 1982, 38/211 of 20 Decem-

¹⁴⁰ A/40/430.

ber 1983 and 39/180 of 17 December 1984, in which it noted with concern that the assistance provided had not been adequate to meet the urgent needs of the country,

Recalling further its resolution 38/195 of 20 December 1983 on the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries,¹⁴²

Considering that the Central African Republic is landlocked and is classified as one of the least developed countries,

Taking note of the statement made before the General Assembly by the Head of the Delegation of the Central African Republic on 11 October 1985,¹⁴¹ in which he described the economic problems of concern to the Central African Republic and stated that, because of the lack of financial means, external aid continued to be essential to the country,

Also taking note of the statement made by the representative of the Central African Republic on 13 November 1985,¹⁴² according to which, despite an incipient economic recovery, his country continued to be faced with enormous difficulties in implementing its socio-economic development programmes,

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 losses suffered by the Central African economy following the great drought of 1982-1983,

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,

Taking note of the summary report of the Secretary-General,¹⁴³

Also taking note of table 12 of the report of the Secretary-General, according to which substantial additional assistance for the special programme of economic assistance is needed to finance projects which have only been implemented in part and others for which finance has not yet been obtained, including new high-priority projects specified therein,

1. *Expresses its appreciation* 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. *Reiterates its appreciation* to States, 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 12 of the Secretary-General's report, which indicates the projects still in need of financing;

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. *Invites* the appropriate programmes and organizations 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, the United Nations Fund for Population Activities 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. *Invites also* regional and interregional organizations and other intergovernmental and non-governmental organizations 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, 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 1986;

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 population;

(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

¹⁴¹ See Official Records of the General Assembly, Fortieth Session, Plenary Meetings, 33rd meeting.

¹⁴² *Ibid.*, Second Committee, 33rd meeting, paras. 5-8.

¹⁴³ A/40/441, sect. IV.

Member States, 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 1986, 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 forty-first session.

*120th plenary meeting
17 December 1985*

40/218. Special economic assistance to Chad

The General Assembly,

Recalling its resolution 39/195 of 17 December 1984 and its previous resolutions on assistance in 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 programme of assistance for that country,¹⁴⁴

Concerned by the unprecedented drought which is wreaking havoc in Chad, compounding the food and health situation that is already precarious because of the war and thus compromising all the country's efforts at reconstruction,

Considering that the war and the drought have occasioned a massive displacement of population and created enormous social problems,

Taking note of the numerous appeals launched by the Government of Chad and governmental and non-governmental organizations regarding the gravity of the food and health situation in Chad,

Recognizing the need for emergency humanitarian assistance to Chad,

Also recognizing the need for assistance in the reconstruction and development of Chad,

Welcoming the conference of donors and contributors of funds held in early December 1985, in accordance with the arrangements agreed upon at the International Conference on Assistance to Chad, held in November 1982,

1. *Expresses its gratitude* to the States and governmental and non-governmental organizations that responded and are continuing to respond generously to the appeals of the Government of Chad and of the Secretary-General by furnishing assistance to Chad;

2. *Expresses its appreciation* to the Secretary-General for his efforts to make the international community aware of the difficulties of Chad and to mobilize assistance for that country;

3. *Renews the request* made to States, appropriate organizations and programmes of the United Nations system and international economic and financial institutions:

(a) To continue to provide the necessary humanitarian assistance to the people of Chad who have suffered as a result of the war and the drought;

(b) To contribute to the rehabilitation and reconstruction of Chad;

4. *Notes with satisfaction* that the International Conference on Assistance to Chad was held at Geneva on 4 and 5 December 1985, and invites the States and agencies that participated in it to honour as early as possible the commitments they made at that Conference;

5. *Requests* the Secretary-General:

(a) To continue his efforts to implement the interim development plan submitted at Geneva;

(b) To assess, in close collaboration with the humanitarian agencies concerned, the humanitarian needs, particularly in the areas of food and health, of the people displaced by the war and the drought;

(c) To mobilize special humanitarian assistance for persons who have suffered as a result of the war and the drought and for the resettlement of displaced persons;

(d) To keep the situation in Chad under review and to report thereon to the General Assembly at its forty-first session.

*120th plenary meeting
17 December 1985*

40/219. Assistance for the reconstruction, recovery, rehabilitation and development of Mauritania

The General Assembly,

Deeply concerned by the enormous devastation caused to woodlands and the serious damage suffered by the economic and social infrastructure of Mauritania over the last fifteen years of drought and desertification,

Deeply disturbed by the great economic and financial imbalances which have found expression in the paucity of overall growth and the magnitude of the budget deficit and the balance-of-payments deficit,

Aware of the fact that the deterioration of the productive economic base is caused by factors over which Mauritania has no control, such as drought, desertification, the current international economic situation and the fall in commodity prices,

Deeply concerned by the adverse consequences of those factors both at the socio-economic level, through a massive rural exodus and growing urban unemployment, and at the level of external indebtedness, which is reaching excessive proportions,

Asserting the urgent need for international action to help the Government of Mauritania in its efforts to overcome and control the effects of these devastating natural disasters,

Acknowledging that Mauritania, one of the countries most affected by drought and desertification, is in need of international assistance in order to overcome the hardships impeding its short-term and long-term development and hindering its efforts for reconstruction, recovery, rehabilitation and development,

Considering the serious social and human problems posed by the settlement and integration in urban centres of many vulnerable persons who, because of the rural exodus and the adverse effects of drought and desertification, are in need of immediate emergency aid,

Concerned by the persistent imbalances in the agricultural structure of the country and the fact that it is to a large extent dependent on food grants and totally dependent on imports in all sectors,

¹⁴⁴ A/36/261; A/36/739; A/37/125 and Add.1; A/38/213; A/39/392, sect. III.

Concerned also that, in real terms, the projected volume of exports of iron ore for 1985 will be virtually two thirds lower than that of 1975, which will particularly hamper the development of the country,

Aware of the need to assist the country with a view to enabling it to develop and to exercise effective control over its fishing resources, its second source of foreign currency,

Noting with concern that, in addition to the country's demographic and geographical disadvantages, its only highway, constructed with outside financing, is constantly being covered by sand, thereby disrupting economic and social life in three quarters of the country,

Concerned further by the difficulties of all kinds encountered by the Government, Member States and international organizations in channelling food and relief to the afflicted population in the interior of the country because of the lack of a road network and of transport and communications,

Noting that the Government of Mauritania, by implementing a policy of economic austerity, devaluing its currency and raising producer prices, expects to succeed in 1985 in reducing the budget deficit that has accumulated over the preceding ten years,

Noting also that, despite the implementation by Mauritania of the harsh adjustment measures proposed by the International Monetary Fund and the World Bank, the country remains dependent on external sources for financing public and private investment,

Further noting with concern the deficit in the balance of payments from 1975 to 1984, the modest level of foreign-currency reserves and the accumulation from year to year of arrears in payments,

Bearing in mind the concern expressed by Member States and international organizations with regard to the catastrophic economic and social situation created in Mauritania by drought, desertification and war, and the particular interest that they take in the control of desertification with a view to the country's rapid return to normal living conditions and to its reconstruction and development,

Considering with satisfaction that the Government of Mauritania has, for the first time this year, succeeded in inducing several thousands of people to leave the urban centres and to return to their native soil in order to devote themselves to agriculture and stockraising,

Noting the urgent request addressed by the Government of Mauritania to the Secretary-General for the classification of Mauritania as one of the least developed countries,¹⁴⁵

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to mobilize humanitarian assistance for the countries affected by drought and desertification in general, and particularly for Mauritania as a country severely affected, and invites the international community to respond generously to the humanitarian needs of Mauritania;

2. *Also expresses its appreciation* to the countries, organizations of the United Nations system, other international organizations, the community commission, voluntary agencies and individuals whose generous assistance to the stricken population of Mauritania has never failed;

3. *Appeals urgently* to all Member States, specialized agencies and other United Nations bodies, as well as to international economic and financial institutions, to contribute generously, through bilateral or multilateral chan-

nels, towards meeting Mauritania's reconstruction, recovery, rehabilitation and development needs;

4. *Invites* the Economic and Social Council to request the Committee for Development Planning to examine, on a priority basis, the socio-economic situation of Mauritania and to consider including it in the list of the least developed countries;

5. *Requests* Member States, as well as United Nations programmes and organizations, to take special measures for Mauritania for the remainder of the Third United Nations Development Decade, pending examination of its situation by the Committee for Development Planning;

6. *Invites* 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, the United Nations Industrial Development Organization, the United Nations Children's Fund, the World Bank, the International Monetary Fund, the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization to maintain their current programmes and expand their future programmes of assistance and to report periodically to the Secretary-General on the steps they have taken and the resources they have made available to help Mauritania so that the General Assembly may consider them at its forty-first session;

7. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize international assistance for Mauritania and to ensure that the appropriate arrangements are made in order to establish an effective programme of special assistance;

(b) To open a special account under the United Nations Trust Fund for Special Economic Assistance Programmes, in order to facilitate payments of contributions for Mauritania, and urges Member States, non-governmental organizations and individuals to contribute generously to this account;

(c) To keep the situation in Mauritania constantly under review, to maintain contact with Member States, specialized agencies, regional and intergovernmental organizations and international financial institutions concerned, and to apprise the Economic and Social Council, at its second regular session of 1986, of the volume of economic assistance granted to Mauritania;

(d) To report on the progress achieved in remedying the economic situation of Mauritania and on the international assistance granted to the country in time for the matter to be considered by the General Assembly at its forty-first session.

120th plenary meeting
17 December 1985

40/220. Assistance to Sierra Leone

The General Assembly,

Recalling its resolutions 37/158 of 17 December 1982, 38/205 of 20 December 1983 and 39/192 of 17 December 1984, 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,

¹⁴⁵ See A/C.2/40/3.

Having considered the summary report of the Secretary-General,¹⁴⁶

Noting with concern that the economy of Sierra Leone is being undermined by severe scarcities of imported raw materials and spare parts for industry, a drying-up of trade and commercial credits, large commercial payment arrears and unmitigated strains on government finances,

Noting that the Government of Sierra Leone, in co-operation with the United Nations Development Programme, embarked upon preparations for a round table of partners in development of Sierra Leone, which was originally to be held early in 1985 but was deferred until early 1986,

Reiterating the need for effective mobilization of international assistance in order to implement fully the programme of development outlined in the report of the multi-agency mission,¹⁴⁷

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to mobilize assistance for Sierra Leone;

2. *Urgently reiterates its appeal* to the international community, including the specialized agencies and other organizations and bodies of the United Nations system, to contribute generously, through bilateral or multilateral channels, to the economic and social development of Sierra Leone;

3. *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 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;

4. *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, the International Fund for Agricultural Development and the United Nations Industrial Development Organization 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 1986;

5. *Appeals* to all States and international organizations to participate at a high level in the round table of partners in development of Sierra Leone to be held early in 1986, and to contribute generously to the programme of action that will be presented by the Government of Sierra Leone;

6. *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 apprise the Economic and Social Council, at its second regular session of 1986, of the assistance granted to Sierra Leone;

(c) To keep the situation regarding assistance to Sierra Leone under review and to report to the General Assembly at its forty-first session on the implementation of the present resolution.

120th plenary meeting
17 December 1985

40/221. Assistance to the drought-stricken areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda

The General Assembly,

Recalling its resolutions 35/90 and 35/91 of 5 December 1980, 36/221 of 17 December 1981, 37/147 of 17 December 1982, 38/216 of 20 December 1983 and 39/205 of 17 December 1984 and Economic and Social Council resolution 1983/46 of 28 July 1983 on assistance to the drought-stricken areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda,

Having considered the note by the Secretary-General on assistance to the drought-stricken areas of those countries,¹⁴⁸

Deeply concerned at the serious effects of the prolonged and persistent drought in the region, which precipitated food shortages and famine and hindered the development efforts of the countries members of the Intergovernmental Authority for Drought and Development,

Stressing the need for practical regional arrangements for co-operation to promote the rehabilitation, recovery, and medium-term to long-term development of the countries of the region,

Bearing in mind the imperative need for the international community to render assistance to Member States in the event of natural disasters,

1. *Reaffirms* its resolutions 35/90, 35/91, 36/221, 37/147, 38/216 and 39/205 on assistance to the drought-stricken areas of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda;

2. *Takes note* of the note by the Secretary-General on assistance to the drought-stricken areas of those countries;

3. *Commends* the Governments of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda for their decision to establish, in Djibouti, an Intergovernmental Authority for Drought and Development, as initially recommended by the General Assembly in its resolution 35/90;

4. *Notes with satisfaction* the decision taken by the Governments of Djibouti, Ethiopia, Kenya, Somalia, the Sudan and Uganda to meet in Djibouti at the level of Head of State to endorse the agreement on the establishment of the Intergovernmental Authority and to adopt a regional plan of action for the implementation of medium-term and long-term recovery and rehabilitation programmes of the States members of the Authority;

5. *Notes with appreciation* the assistance provided by the Administrator of the United Nations Development Programme and by the United Nations Sudano-Saharan Office in the effort to establish the Intergovernmental Authority, in line with the recommendations of the Secretary-General and pursuant to the resolutions of the General Assembly mentioned above;

6. *Requests* the Administrator of the United Nations Development Programme, pursuant to General Assembly resolution 37/147, to make the necessary arrangements to render operational, as soon as possible, the unit within the United Nations Sudano-Saharan Office entrusted with the responsibility of assisting the countries members of the Intergovernmental Authority and to pay special attention to the unit so as to ensure that its responsibilities are discharged effectively;

7. *Appeals* to all Governments, organizations of the United Nations system and other intergovernmental and non-governmental organizations to contribute generously in order to provide the resources necessary for funding the

¹⁴⁶ A/40/441, sect. XIII.

¹⁴⁷ A/38/211, annex.

¹⁴⁸ A/40/770.

operational costs of the unit and for implementing the projects and programmes in the countries members of the Intergovernmental Authority, and requests the Administrator of the United Nations Development Programme to intensify his efforts in this regard;

8. *Requests* the Secretary-General to submit a report to the Economic and Social Council at its second regular session of 1986 on the progress achieved in the implementation of the present resolution.

*120th plenary meeting
17 December 1985*

40/222. Special economic assistance to Benin

The General Assembly,

Recalling its resolutions 35/88 of 5 December 1980, 36/208 of 17 December 1981, 37/151 of 17 December 1982, 38/210 of 20 December 1983 and 39/185 of 17 December 1984, 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 its specialized agencies, to assist Benin,

Having heard the statement made by the representative of Benin on 12 November 1985,¹⁴⁹ in which he described the serious economic and financial situation of his country and the action taken by his Government to tackle these difficulties,

Deeply concerned, nevertheless, by the fact that Benin continues to experience serious economic and financial difficulties, characterized by a marked balance-of-payments disequilibrium, heavy burdens of its external debt and a lack of the resources necessary for the implementation of its planned economic and social development programme,

Having considered the summary report of the Secretary-General,¹⁵⁰

Noting that the persisting unfavourable climatic conditions in the coastal and northern regions of Benin are still leading to losses in agriculture and livestock production, and threatening the lives of the population,

Considering that Benin is one of the least developed countries,

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to organize and mobilize support for the international programme of economic assistance to Benin;

2. *Takes note* of the summary report of the Secretary-General;

3. *Expresses its appreciation* for the assistance already provided or pledged to Benin by Member States, United Nations bodies and regional, interregional and intergovernmental organizations;

4. *Notes with satisfaction* the efforts undertaken by the Government of Benin to make structural adjustments in the economy of the country and to take other measures designed to help it to overcome its economic and financial difficulties;

5. *Notes with concern* that the assistance given to Benin has not been sufficient to cover all the country's pressing needs and that additional resources are still essen-

tial for the implementation of its recovery, reconstruction and development programme;

6. *Appeals* to Member States, international financial institutions, the specialized agencies and other United Nations bodies to respond generously and urgently to the needs of Benin;

7. *Urges* donor countries to provide financial assistance to help Benin to bear the counterpart costs of projects receiving external assistance, bearing in mind that it is one of the least developed countries;

8. *Appeals* to the international community to make contributions to the special account for Benin opened by the Secretary-General at United Nations Headquarters, for subsequent transfer to Benin;

9. *Invites* the programmes, specialized agencies and other organizations of the United Nations system — in particular the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the Food and Agriculture Organization of the United Nations, the World Health Organization, the World Bank and the International Fund for Agricultural Development:

(a) To maintain and expand their programmes of assistance to Benin;

(b) To co-operate closely with the Secretary-General in organizing and promoting the special programme of economic assistance to Benin;

(c) To bring to the attention of their governing bodies, for their urgent consideration, the special needs of Benin;

(d) To report to the Secretary-General by 15 July 1986 on the measures they have taken and the resources they have made available, as well as the decisions of their governing bodies on assistance to Benin;

10. *Requests* the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for implementing the projects of the special programme of economic assistance to Benin;

(b) To evaluate, in consultation with the Government, the economic situation in Benin, the most urgent needs of the country and the implementation of the special programme of economic assistance;

(c) To keep the situation in Benin under constant review, in close collaboration with the Government of Benin, the specialized agencies, regional and intergovernmental organizations and international financial institutions, and to apprise the Economic and Social Council, at its second regular session of 1986, of the status of assistance to Benin;

(d) To report on the implementation of the present resolution to the General Assembly at its forty-first session.

*120th plenary meeting
17 December 1985*

40/223. Assistance to the Comoros

The General Assembly,

Recalling its resolution 39/193 of 17 December 1984 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 an island developing country and as one of the least developed countries,

¹⁴⁹ Official Records of the General Assembly, Fortieth Session, Second Committee, 32nd meeting, paras. 21 and 22.

¹⁵⁰ A/40/441, sect. II.

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,

Bearing in mind the holding at Moroni, from 2 to 4 July 1984, of the first International Solidarity Conference for the Development of the Comoros,

Having examined the summary report of the Secretary-General,¹⁵¹

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 in order to implement the projects described in the report of the Secretary-General;

4. Appeals to those States and organizations that participated in the first International Solidarity Conference for the Development of the Comoros to participate in the second Conference, to be held at Moroni towards the end of 1985, in order to put into effect as soon as possible their declarations of intent;

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 bodies 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. Invites 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, the regional and other intergovernmental organizations and international financial institutions concerned, and to apprise the Economic and Social Council, at its second regular session of 1986, of the status of the special programme of economic assistance for the Comoros;

(c) To report on the evolution of the economic situation of the Comoros and the progress made 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 forty-first session.

120th plenary meeting
17 December 1985

40/224. Assistance to the Gambia

The General Assembly,

Recalling its resolution 39/203 of 17 December 1984, 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 and desertification,

Having considered the summary report of the Secretary-General,¹⁵² 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 Government 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 submitted to the General Assembly at its thirty-ninth session,¹⁵³

Aware that a round-table conference of donors was held in the Gambia in November 1984, with the assistance of the United Nations Development Programme, 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. Takes note of the report of the Secretary-General;

2. Expresses its appreciation to the Secretary-General for the steps he has taken to mobilize assistance for the Gambia;

3. Expresses its appreciation also to those States and organizations that have provided assistance to the Gambia;

4. Draws the attention of the international community to the need for assistance for the projects and programmes identified by the Secretary-General in his report;

5. Renews its urgent appeal to Member States, the 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 report;

6. 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 drought-stricken country;

7. Urges Member States, organizations and programmes of the United Nations system, regional and interregional bodies, financial and development institutions, as well as intergovernmental and non-governmental organizations, to respond generously to the needs of the Gambia

¹⁵¹ *Ibid.*, sect. V.

¹⁵² *Ibid.*, sect. VII.

¹⁵³ A/39/392, para. 226.

as discussed at the round-table conference of donors held in that country in November 1984;

8. *Invites* 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 Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the United Nations Industrial Development Organization — 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;

9. *Invites also* 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, the International Fund for Agricultural Development and the United Nations Industrial Development Organization 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 1986;

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 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 1986, 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 forty-first session.

*120th plenary meeting
17 December 1985*

40/225. 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 continue to provide effective 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 recommended by the Secretary-General in his report submitted pursuant to General Assembly resolution 34/121 of 14 December 1979,¹⁵⁴

Recalling also its resolutions 36/217 of 17 December 1981 and 39/186 of 17 December 1984,

Noting, in particular, that Guinea-Bissau is one of the least developed countries,

Noting with concern that Guinea-Bissau continues to experience serious economic and financial difficulties, that the gross national product of Guinea-Bissau has decreased

in real terms, that the balance-of-payments deficit continues to rise, that the external debt is imposing a heavy burden on the country's fragile economy and that the budget deficit has also grown substantially,

Noting also that Guinea-Bissau continues to have problems in supplying staple foodstuffs to satisfy the needs of its population,

Noting with satisfaction the main features of the first four-year development plan (1983-1986) of Guinea-Bissau and the implementation of the 1983-1984 economic and financial stabilization programme,

Also noting with satisfaction the prospects for co-operation stemming from the round-table conference of donors for Guinea-Bissau, held at Lisbon in May 1984,

Having considered the report of the Secretary-General on economic assistance to Guinea-Bissau,¹⁵⁵

1. *Expresses its appreciation* to the Secretary-General for the steps he has taken to mobilize assistance for Guinea-Bissau;

2. *Draws the attention* of the international community to the assistance required for implementing the projects and programmes submitted at the round-table conference;

3. *Expresses its gratitude* to the Member States and international organizations concerned for the food aid generously provided to Guinea-Bissau;

4. *Expresses its gratitude* to the States and organizations that have responded to the appeal of Guinea-Bissau and to the appeals of the Secretary-General by providing assistance to Guinea-Bissau;

5. *Renews its urgent appeal* to Member States, regional and interregional organizations and other intergovernmental and non-governmental organizations to continue to provide 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 specified in its first four-year development plan;

6. *Urges* Member States, United Nations bodies, regional and interregional bodies and governmental financing institutions to respond urgently to the needs of Guinea-Bissau in accordance with the dialogue held between Guinea-Bissau and its partners at the round-table conference of donors;

7. *Appeals* to the international community to contribute to the special account opened by the Secretary-General at United Nations Headquarters, in accordance with General Assembly resolution 32/100 of 13 December 1977, in order to facilitate the payment of contributions for 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 and pressing needs of Guinea-Bissau and to report the decisions taken in that connection to the Secretary-General;

9. *Requests* the specialized agencies and other United Nations bodies 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;

¹⁵⁴ A/35/343.

¹⁵⁵ A/40/423.

(b) To keep the situation in Guinea-Bissau under constant review, to maintain close contact with Member States, specialized agencies, regional and other intergovernmental organizations and the financial institutions concerned, and to apprise the Economic and Social Council, at its second regular session of 1986, of the status of the special programme of economic assistance for Guinea-Bissau;

(c) To report to the General Assembly at its forty-first session on the implementation of the present resolution.

*120th plenary meeting
17 December 1985*

40/226. Assistance to Cape Verde

The General Assembly,

Recalling its resolutions on assistance to Cape Verde, in particular its resolution 39/189 of 17 December 1984, in which the international community was requested to provide an appropriate level of resources for the implementation of the programme of assistance for Cape Verde as envisaged in the reports of the Secretary-General,¹⁵⁶

Recalling United Nations Conference on Trade and Development resolutions 142 (VI) and 138 (VI) of 2 July 1983³⁸ on the progress made in the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries,⁴² 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 completion of the First National Development Plan (1982-1985), which is still being implemented,

Gravely concerned at the critical food situation in Cape Verde resulting from the failure of seasonal rains, the continuing recurrence of drought and the spreading desertification,

Recognizing the strenuous efforts deployed by the Government and people of Cape Verde in the process of the economic and social development of their country despite existing constraints,

1. Takes note of the summary report of the Secretary-General;¹⁵⁷

2. Expresses its appreciation to the Secretary-General for the efforts deployed in mobilizing resources for the implementation of the programme of assistance for 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 for Cape Verde;

4. Reaffirms the need for all Governments and international organizations to implement their commitments undertaken within the framework of the Substantial New Programme of Action for the 1980s for the Least Developed Countries, particularly those undertaken at the round-table conference of Cape Verde's partners in development, held at Praia in June 1982;

5. Urges Governments and international, regional and interregional organizations and other intergovernmental organizations to extend and intensify substantially their

assistance for the early implementation of the programme of assistance for Cape Verde;

6. Invites the international community, in particular donor countries, to take appropriate and urgent measures to support the effective completion of the First National Development Plan (1982-1985) of Cape Verde;

7. 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 organizations of the United Nations system, to help it cope with the critical situation in the country;

8. 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 of 13 December 1977, for the purpose of facilitating the channelling of contributions to Cape Verde;

9. Invites the organs, organizations and bodies of the United Nations system, in particular the United Nations Children's Fund, the United Nations Conference on Trade and Development, the United Nations Development Programme, the United Nations Fund for Population Activities, the World Food Programme, the Food and Agriculture Organization of the United Nations, the World Health Organization, the World Bank, the International Fund for Agricultural Development and the United Nations Industrial Development Organization:

(a) To maintain and expand their programmes of assistance for Cape Verde;

(b) To co-operate closely with the Secretary-General in organizing and carrying out the special programme of economic assistance for Cape Verde;

(c) To bring to the attention of their governing bodies, for urgent consideration, the special needs of Cape Verde;

(d) To report the measures they have taken and the resources they have made available, as well as the decisions of their governing bodies regarding assistance to Cape Verde, to the Secretary-General by 15 July 1986;

10. Requests the Secretary-General:

(a) To continue his efforts to mobilize the necessary resources for implementing the programme of development assistance for Cape Verde;

(b) To arrange for a review of the economic situation in Cape Verde, in consultation with the Government of Cape Verde, to report thereon to the Economic and Social Council at its second regular session of 1986, and to make a substantive report on the implementation of the special programme of economic assistance for Cape Verde to be considered by the General Assembly at its forty-first session.

*120th plenary meeting
17 December 1985*

40/227. Assistance to Djibouti

The General Assembly,

Recalling its resolution 39/200 of 17 December 1984 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,

Deeply concerned at the lingering adverse effects of the drought on the economic and social development of Djibouti,

¹⁵⁶ A/33/167 and Corr.1; A/34/372 and Corr.1; A/35/332 and Corr.1; A/36/265; A/37/124; A/38/216, sect. V; A/39/389.

¹⁵⁷ A/40/441, sect. III.

Bearing 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,¹⁵⁸

Noting the critical economic situation of Djibouti and the list of urgent and priority projects formulated by the Government that require international assistance,

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. *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, including the programme of assistance that was presented at the round-table conference of development partners convened by the Government of Djibouti in November 1983;

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. *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 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 1986, of the current status of the special programme of economic assistance for Djibouti;

(c) 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 forty-first session.

*120th plenary meeting
17 December 1985*

40/228. Assistance to the drought-stricken areas of Ethiopia

The General Assembly,

Recalling its resolution 39/201 of 17 December 1984 and Economic and Social Council resolutions 1984/5 of 17

May 1984 and 1985/1 of 24 May 1985 on emergency assistance to the drought victims in Ethiopia,

Taking note of the report of the Secretary-General on assistance to the drought-stricken areas of Ethiopia,¹⁵⁹

Noting with appreciation the unprecedented effort made by the Secretary-General to mobilize international humanitarian assistance for the drought victims in Ethiopia,

Noting further with satisfaction the able manner in which the Office for Emergency Operations in Africa has effectively handled its task of co-ordination and the admirable manner in which the organs and organizations of the United Nations system, including the specialized agencies, have carried out their roles,

Having heard the statement made by the Commissioner for Relief and Rehabilitation of Ethiopia on 12 November 1985¹⁶⁰ concerning the current situation in the drought-stricken areas,

Aware that, despite adequate rain, the emergency situation still exists in most parts of the country,

Recognizing that, owing to insufficient agricultural input, full advantage could not be taken of the rain,

Convinced that long-term solutions are imperative in dealing with the root causes of the tragic human drama that has recently unfolded in the disaster-stricken areas,

1. *Commends* the international community for its compassion, solidarity and generous response to the tragic situation in Ethiopia;

2. *Expresses its deep gratitude* to all States, intergovernmental and non-governmental organizations and individuals that have provided emergency humanitarian assistance to Ethiopia;

3. *Commends further* the relentless efforts made by the Secretary-General through the Office for Emergency Operations in Africa, in particular those of the Assistant Secretary-General for Emergency Operations in Ethiopia, in mobilizing and co-ordinating emergency humanitarian assistance for the drought victims in Ethiopia;

4. *Appreciates fully* the unprecedented role played by the organizations and programmes of the United Nations system — in particular, the Food and Agriculture Organization of the United Nations, the World Food Programme, the United Nations Children's Fund, the Office of the United Nations Disaster Relief Co-ordinator, the World Health Organization, the United Nations Development Programme, the World Bank and the International Labour Organisation — which they have carried out in a concerted and efficient manner to save the lives of millions of people in Ethiopia;

5. *Urges* all Member States, organs and organizations of the United Nations system, including the specialized agencies, and non-governmental organizations to assist the Government of Ethiopia in its efforts to provide for the emergency needs of the drought victims and to deal with the problem of medium-term and long-term recovery and rehabilitation;

6. *Requests* the Secretary-General to continue his efforts to mobilize international assistance for relief and rehabilitation, including assistance to the victims of drought who want either to return to their villages of origin or to settle in areas less prone to drought, and to report to the Economic and Social Council, at its first regular session of 1986, on the response of the international community to these efforts.

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17 December 1985*

¹⁵⁸ *Ibid.*, sect. VI.

¹⁵⁹ A/40/431.

¹⁶⁰ *Official Records of the General Assembly, Fortieth Session, Second Committee, 31st meeting, paras. 23-33.*

40/229. 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, 37/163 of 17 December 1982, 38/220 of 20 December 1983 and 39/197 of 17 December 1984 on assistance for the reconstruction and development of Lebanon,

Recalling also Economic and Social Council resolutions 1980/15 of 29 April 1980 and 1985/56 of 25 July 1985 and decisions 1983/112 of 17 May 1983 and 1984/174 of 26 July 1984,

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,

Also noting with concern the serious economic situation in 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,

Considering that filling the vacant post of United Nations Co-ordinator of Assistance for the Reconstruction and Development of Lebanon would facilitate the normal operations of international assistance to Lebanon,

Taking note of the report of the Secretary-General¹⁶¹ and of the statement made on 12 November 1985 by the Under-Secretary-General for Political and General Assembly Affairs,¹⁶²

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 Under-Secretary-General for Political and General Assembly Affairs for his co-ordination of system-wide assistance for Lebanon, as well as the staff of the Office of the United Nations Co-ordinator of Assistance for the Reconstruction and Development of Lebanon for their invaluable 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 reconstruction of the country, despite adverse circumstances, and for the steps it has taken to remedy the economic situation;

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. *Invites* the Secretary-General to consider arranging, under the terms of resolution 33/146, for the United Nations Co-ordinator of Assistance for the Reconstruction and Development of Lebanon to resume his functions in Lebanon;

6. *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, and to take the necessary steps to ensure that their offices in Beirut are adequately staffed at the senior level;

7. *Also requests* the Secretary-General to report to the General Assembly at its forty-first session on the progress achieved in the implementation of the present resolution.

*120th plenary meeting
17 December 1985*

40/230. Assistance to Madagascar

The General Assembly,

Recalling its resolution 39/191 of 17 December 1984 on assistance to Madagascar,

Recalling also Economic and Social Council resolution 1984/3 of 11 May 1984 on measures to be taken following the cyclones and floods in Madagascar in December 1983 and January and April 1984,

Concerned by the fact that the damage caused by these natural disasters is hampering the development efforts of that country,

Bearing in mind the special economic assistance programme prepared by the inter-agency mission which visited Madagascar from 24 May to 5 June 1984,¹⁶³

Taking note of the report of the Secretary-General,¹⁶⁴

Noting the efforts of the people and Government of Madagascar to deal with the emergency and to initiate a reconstruction and rehabilitation programme,

Noting also the emergency relief and assistance provided by several States, international and regional organizations, specialized agencies and voluntary agencies,

Reaffirming the need for concerted international action to assist the people and Government of Madagascar in carrying out the reconstruction and rehabilitation of the stricken regions and sectors,

1. *Expresses its gratitude* to the States, programmes and organizations of the United Nations system and to other organizations, intergovernmental, non-governmental and voluntary, which provided assistance to Madagascar;

2. *Urges* all States to participate or continue to participate generously through bilateral or multilateral channels in projects or programmes for the reconstruction and rehabilitation of Madagascar;

3. *Requests* the international and regional organizations, the specialized agencies and voluntary agencies to continue and increase their assistance in response to the reconstruction, rehabilitation and development needs of Madagascar;

4. *Invites* the programmes and organizations 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 United Nations Industrial Development Organization, and all other international and regional financial institutions concerned, to give sympathetic and urgent consideration to requests for assistance submitted by the Government of Madagascar under its reconstruction, rehabilitation and development programmes;

5. *Requests* the Secretary-General:

(a) To continue his efforts, in collaboration with the programmes and organizations of the United Nations system, to mobilize the resources needed for implementing the reconstruction, rehabilitation and development programmes of Madagascar;

¹⁶¹ A/40/434 and Add.1.

¹⁶² *Official Records of the General Assembly, Fortieth Session, Second Committee, 31st meeting, paras. 34-41.*

¹⁶³ A/39/404, annex.

¹⁶⁴ A/40/439, sect. III.P.

(b) To keep the question of assistance for the reconstruction and rehabilitation of Madagascar under constant review;

6. *Further requests* the Secretary-General to apprise the Economic and Social Council, at its second regular session of 1986, of the progress made in the implementation of the present resolution and to report thereon to the General Assembly at its forty-first session.

*120th plenary meeting
17 December 1985*

40/231. Long-term and effective solution of the problems caused by natural disasters in Bangladesh

The General Assembly,

Aware of the grave devastation and substantial loss of life and property caused by the cyclone that struck large areas of Bangladesh on 25 May 1985,

Having heard the statement made on 12 November 1985 by the representative of Bangladesh,¹⁶⁵ in which he enumerated the enormous losses suffered by Bangladesh in the cyclone as well as the adverse consequences of recurring natural disasters, particularly cyclones, tidal waves and floods, for the economic development of that country,

Concerned about the serious damage to infrastructure caused by such natural disasters, which has a far-reaching impact on the implementation of the national development plan in that country,

Considering that Bangladesh is one of the least developed countries, and that its situation has been worsened by the frequent recurrence of natural disasters having devastating consequences,

Aware that the coastal areas of Bangladesh are particularly vulnerable to natural calamity resulting in widespread human and material loss,

Recognizing the relief and rehabilitation efforts of the Government of Bangladesh to alleviate the sufferings of disaster victims, and its programmes for a more permanent solution,

Noting with appreciation the support and solidarity displayed by the countries of the South Asian region in assisting Bangladesh in the immediate aftermath of the cyclone of 25 May 1985,

Recognizing that natural disasters constitute a development problem of great magnitude, the solution of which calls for substantial resources, requiring national efforts to be supplemented by international financial and technical assistance,

Aware that considerable expertise and technical capabilities are available within the organizations of the United Nations system and other multilateral organizations to strengthen the preparedness and prevention capability of disaster-prone countries through the promotion of a long-term and effective solution of the problems caused by natural disasters,

1. *Expresses its appreciation* to the international community for its interest in and support to Bangladesh in its relief, rehabilitation and reconstruction efforts following the natural disaster;

2. *Also expresses its appreciation* to the Secretary-General for the support provided by him, particularly through the Office of the United Nations Disaster Relief Co-ordi-

nator and other operational agencies of the United Nations system in Bangladesh;

3. *Appeals* to all Member States, specialized agencies, and other organs and bodies of the United Nations system, as well as international economic and financial institutions, to respond urgently and generously to assist Bangladesh in its plans and programmes to secure a long-term and effective solution of the problems caused by natural disasters;

4. *Requests* the relevant organs, organizations and bodies of the United Nations system and other multilateral organizations to take appropriate measures to provide assistance to Bangladesh for disaster preparedness and prevention programmes, taking into account the existing co-ordinated efforts of Member States;

5. *Requests* the Office of the United Nations Disaster Relief Co-ordinator to assist, in co-operation with other relevant agencies, the Government of Bangladesh in preparing a time-bound plan in this regard;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the progress made in the implementation of the present resolution.

*120th plenary meeting
17 December 1985*

40/232. 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 financial, technical and material assistance to enable Mozambique to carry out its economic development programme, and requested the Secretary-General, in collaboration with the appropriate organizations of the United Nations system, to organize, with immediate effect, such assistance,

Recalling further its resolution 39/199 of 17 December 1984 and its earlier resolutions, in which it urged the international community to respond effectively and generously with assistance to Mozambique,

Having considered the report of the Secretary-General,¹⁶⁶ submitted pursuant to its resolution 38/208, to which was annexed the report of the mission to Mozambique,

Deeply concerned at 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,¹⁶⁷

Further concerned about the present difficult economic situation of Mozambique, as illustrated in the summary report of the Secretary-General, submitted pursuant to its resolution 39/199,¹⁶⁸

Noting with deep concern that Mozambique has continued to suffer from a prolonged drought causing heavy losses in human lives, food production and livestock and resulting in dislocation of its affected people,

Also noting with deep concern the extensive damage caused by the cyclone "Demoina" at the end of January 1984,

Noting that Mozambique faces an emergency food situation of an exceptional scale and needs imports of 638,000 tonnes of cereals in 1985/1986 to meet its food requirements, according to government estimates,

¹⁶⁵ Official Records of the General Assembly, Fortieth Session, Second Committee, 32nd meeting, paras. 14-16.

¹⁶⁶ A/39/382.

¹⁶⁷ A/38/201-E/1983/69 and Corr.1 and 2, annex I, sect. E; A/38/216, sect. XIII; A/39/382.

¹⁶⁸ A/40/441, sect. XI.

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. *Expresses its appreciation* to the Secretary-General for the measures he has taken to organize an international economic assistance programme for Mozambique;

3. *Also expresses its appreciation* for the assistance provided to Mozambique by various States and regional and international organizations and humanitarian institutions;

4. *Regrets*, however, that the total assistance provided to date falls far short of Mozambique's pressing needs;

5. *Appeals* to the international community to provide adequate food aid to Mozambique to prevent further starvation and malnutrition;

6. *Draws the attention* of the international community to the two areas for immediate action — the supply of crude oil and petroleum products and the supply of basic inputs and consumer goods for the agricultural sector — that are critical for the functioning of the economy;

7. *Also draws the attention* of the international community to the additional financial, economic and material assistance identified in the annex to the report of the Secretary-General¹⁶⁶ as urgently required by Mozambique;

8. *Calls upon* Member States, regional and inter-governmental organizations and other governmental 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 priority to the inclusion of Mozambique in their programmes of development assistance;

9. *Urges* Member States and organizations that are already implementing or negotiating assistance programmes for Mozambique to strengthen them;

10. *Strongly 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. *Invites* 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, the United Nations Children's Fund, the United Nations Fund for Population Activities and the United Nations Industrial Development Organization—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 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, international financial institutions and other bodies concerned, and to apprise the Economic and Social Council, at its second regular session

of 1986, 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 forty-first session.

120th plenary meeting
17 December 1985

40/233. Economic assistance to Vanuatu

The General Assembly,

Recalling its resolution 39/198 of 17 December 1984 on economic assistance to Vanuatu, in which it requested the Secretary-General to continue his efforts to mobilize the necessary resources for an effective programme of financial, technical and material assistance to Vanuatu,

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, 37/206 of 20 December 1982 and 39/212 of 18 December 1984, relating to the special needs and problems of island developing countries,

Noting 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 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, that it is a geographically remote archipelago with a small population, that it has demographic disadvantages, that its dependence on imports is overwhelming and that it has a scarcity of adequate transportation and communications links, all of which pose special development problems, making the provision of services difficult and entailing very high overhead costs,

Noting that the Committee for Development Planning, as stated in its report on its twenty-first and resumed twenty-first sessions, of which the Economic and Social Council took note in its decision 1985/182 of 25 July 1985, reached the conclusion that Vanuatu qualified for inclusion in the list of the least developed countries on the basis of the existing criteria and in the light of the available data,¹⁶⁹

Noting further the damage caused by two major cyclones in January 1985 and the resulting additional constraints on the economic development of Vanuatu,

1. *Calls the attention* of the international community to the summary report of the Secretary-General;¹⁷⁰

2. *Also calls the attention* of the international community to the projects listed in the report of the Secretary-General to the General Assembly at its thirty-ninth session,¹⁷¹ endorsed by the Assembly in resolution 39/198, which still require funding;

3. *Expresses its appreciation* to the Secretary-General for the steps he has taken to mobilize assistance for Vanuatu;

4. *Also expresses its appreciation* to those States and organizations which have provided assistance to that country;

¹⁶⁹ See *Official Records of the Economic and Social Council, 1985, Supplement No. 9 (E/1985/29)*, para. 115.

¹⁷⁰ A/40/441, sect. XV.

¹⁷¹ A/39/388, annex.

5. *Further calls the attention* of the international community to the special problems confronting Vanuatu as an island developing country with a small but rapidly growing and unevenly distributed population, a severe shortage of development capital and declining budgetary support from present donors;

6. *Invites* the appropriate organizations and programmes of the United Nations system to maintain and expand 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;

7. *Also 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 Fund for Population Activities, 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 1986;

8. *Decides* to include Vanuatu in the list of the least developed countries;

9. *Requests* the Administrator of the United Nations Development Programme, in the light of the above decision and the desire of the Government of Vanuatu to organize a round-table conference of donors, to give all the necessary assistance to Vanuatu for the preparation and organization of that conference;

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 Vanuatu;

(b) To keep the situation in Vanuatu under constant review, to maintain close contact with Member States, regional and other intergovernmental organizations, the specialized agencies and the international financial institutions concerned, and to apprise the Economic and Social Council, at its second regular session of 1986, of the current status of the special programme of economic assistance for Vanuatu;

(c) To report on the progress made in the economic situation in Vanuatu and in organizing international assistance for that country in time for the matter to be considered by the General Assembly at its forty-first session.

*120th plenary meeting
17 December 1985*

40/234. Assistance to Nicaragua

The General Assembly,

Recalling its resolutions 34/8 of 25 October 1979, 35/84 of 5 December 1980, 36/213 of 17 December 1981, 37/157 of 17 December 1982, 38/223 of 20 December 1983

and 39/204 of 17 December 1984 concerning assistance for the reconstruction of Nicaragua,

Taking note of the report of the Secretary-General on assistance to Nicaragua,¹⁷²

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,

Bearing in mind that, in recent years, the Nicaraguan economy has been adversely affected by various events and natural disasters, such as drought, the intense rains and floods of 1982 and a sequence of natural disasters in June, July, October and November 1985,

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 also* 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. *Invites* 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 forty-first session on the progress made in the implementation of the present resolution.

*120th plenary meeting
17 December 1985*

40/235. Special economic assistance to Guinea

The General Assembly,

Recalling its resolution 39/202 of 17 December 1984, in which it appealed to the international community to contribute generously, through bilateral and multilateral channels, to the reconstruction, rehabilitation and development of Guinea,

Noting that the persistence of unfavourable climatic conditions in the northern part of the country has led to enormous losses in crop and livestock production,

Deeply concerned by the fact that Guinea continues to suffer serious economic and financial difficulties arising from a marked balance-of-payments deficit, onerous external debt charges and the massive return of formerly exiled persons,

Taking into consideration the objectives of Guinea's Interim Programme of National Rehabilitation for the period 1985-1987, whose implementation continues to be hampered by the lack of necessary resources,

Noting with satisfaction the considerable efforts made by the Government and people of Guinea to ensure the country's reconstruction, rehabilitation and development, despite existing constraints,

Noting that the Government of Guinea, in collaboration with the United Nations Development Programme, the World Bank, the International Monetary Fund and other

¹⁷² A/40/436.

international agencies concerned, is preparing a conference of donors for Guinea, which will be organized as soon as possible,

Considering that Guinea is one of the least developed countries,

Noting the statement made by the Minister of State for Foreign Affairs and International Co-operation of the Republic of Guinea on 4 October 1985,¹⁷³ in which he described his country's economic problems,

Having considered the summary report of the Secretary-General,¹⁷⁴

1. *Expresses its appreciation* to the Secretary-General for his report and for the steps he has taken to mobilize assistance to Guinea;

2. *Expresses its gratitude* to the States and organizations that have provided assistance to that country;

3. *Again appeals* to the international community, including the specialized agencies and other United Nations bodies and organizations, to contribute generously, through bilateral or multilateral channels, to Guinea's economic and social development;

4. *Invites* all States and relevant organizations of the United Nations system to provide the Government of Guinea with all possible assistance with a view to meeting the population's critical humanitarian needs and to furnish it, as appropriate, with food, medicaments and essential hospital and school equipment;

5. *Also invites* the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the United Nations Educational, Scientific and Cultural 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 intensify and expand their assistance programmes in order to meet the needs of Guinea;

6. *Requests* the Secretary-General to continue and intensify his efforts to mobilize all possible assistance within the framework of the United Nations system in order to assist the Government of Guinea in its rehabilitation and development efforts;

7. *Also requests* the Secretary-General to report to the Economic and Social Council, at its second regular session

of 1986, and to the General Assembly, at its forty-first session, on the progress achieved in the implementation of the present resolution.

*120th plenary meeting
17 December 1985*

40/236. Special programmes of economic assistance

The General Assembly,

Reaffirming the need for the international community to respond to the needs of countries facing special economic problems,

Recognizing that, owing to their diverse nature, those problems require special and prompt responses,

Recognizing also the need for an adequate response by the international community to the specific measures identified in the special programmes of economic assistance, as well as the need for enhanced co-ordination within the United Nations system in that regard,

Taking into account the views expressed in the Second Committee on the rationalization of the work of the Committee,

1. *Requests* the Secretary-General to report to the General Assembly at its forty-first session, through the Economic and Social Council at its second regular session of 1986, on ways and means of enhancing efficiency and effectiveness in the implementation of decisions taken by intergovernmental bodies regarding the special programmes of economic assistance, including the mobilization of the resources necessary for the implementation of those programmes, taking into account available information provided by Governments and the related activities undertaken by the bodies of the United Nations system;

2. *Also requests* the Secretary-General to include in his report recommendations regarding the consideration of special programmes of economic assistance in the appropriate intergovernmental bodies.

*120th plenary meeting
17 December 1985*

¹⁷³ See *Official Records of the General Assembly, Fortieth Session, Plenary Meetings, 23rd meeting.*

¹⁷⁴ A/40/441, sect. IX.

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40/14. International Youth Year: Participation, Development, Peace

The General Assembly, acting as United Nations World Conference for the International Youth Year,²

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 all sectors of society, as well as its willingness to express its ideas concerning the building of a better and more just world in which it can attain the objectives of the International Youth Year: Participation, Development, Peace,

Considering it necessary to disseminate among youth the ideals of peace, respect for human rights and fundamental freedoms, human solidarity and dedication to the objectives of progress and development,

Convinced that youth should be encouraged to contribute its energies, enthusiasm and creative abilities to the task of nation-building, the observance of the principles of the Charter of the United Nations, the realization of the right to self-determination and national independence, the respect for sovereignty and non-interference in the internal affairs of each State, the economic, social and cultural advancement of peoples, the implementation of a new international economic order and the promotion of international co-operation and understanding to achieve the objectives of the International Youth Year: Participation, Development, Peace,

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 recognizing that they should continue to give more attention to the role of young people in the world of today, to their ideas and initiatives and to their demands for the world of tomorrow,

Convinced that the preparation for and observance in 1985 of the International Youth Year with the motto "Participation, Development, Peace" have offered a useful and significant opportunity for drawing attention to the situation and the specific needs and aspirations of youth, for increasing co-operation at all levels in dealing with youth issues, for undertaking concerted action pro-

grammes in favour of youth and for improving the participation of young people in the study, decision-making processes and resolution of major national, regional and international problems,

Bearing in mind that the International Youth Year has served 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 their participation in the preparation of new national and local policies and programmes in accordance with the experience, conditions and priorities of each country,

Conscious that the International Youth Year has contributed to strengthening the rights, the ability and the willingness of young people to participate in all activities relevant to them and to promote their own interests,

Commending the organizers of international youth conferences and festivals and other specific activities devoted to the International Youth Year for the results of those events inspired by the motto of the International Youth Year, "Participation, Development, Peace",

Noting with satisfaction the outcome of the World Congress on Youth, held at Barcelona, Spain, from 8 to 15 July 1985 under the auspices of the United Nations Educational, Scientific and Cultural Organization,³

Mindful that national committees or other mechanisms to facilitate the planning, implementation and co-ordination of the activities related to the preparation for and observance of the International Youth Year have been established in a majority of States,

Convinced that the timely and significant impetus generated by the activities of the International Youth Year should be maintained and reinforced with appropriate follow-up action at all levels,

Expressing its appreciation to the Advisory Committee for the International Youth Year and to the United Nations Secretariat for their important contribution to the whole process of preparation and observance of the International Youth Year,

² See sect. I, footnote 10.

³ See A/40/768, annex.

Having considered the report of the Advisory Committee for the International Youth Year on its fourth session, held at Vienna from 25 March to 3 April 1985,⁴

Having considered also the report of the Secretary-General on the implementation of the guidelines and additional guidelines for the improvement of channels of communication between the United Nations and youth and youth organizations,⁵

1. *Endorses* the guidelines for further planning and suitable follow-up in the field of youth as contained in the report of the Advisory Committee for the International Youth Year on its fourth session;⁴

2. *Requests* the Secretary-General to transmit the guidelines for further planning and suitable follow-up in the field of youth to all States, United Nations bodies, the specialized agencies and regional commissions, as well as to other international organizations concerned;

3. *Calls upon* all States, all United Nations bodies, the specialized agencies, regional commissions and intergovernmental and non-governmental organizations concerned, in particular youth organizations, to exert all possible efforts for the implementation of the guidelines for further planning and suitable follow-up in the field of youth, in accordance with their experience, conditions and priorities;

4. *Urges* all States to make every effort to consolidate and build further on the results of the International Youth Year;

5. *Considers* that, as the case may be, the continuing of national committees and other appropriate co-ordination measures at the national level devoted to the International Youth Year could be usefully considered, and notes with satisfaction the intention of national committees in many countries to ensure a proper follow-up, including adequate funding and the integration of the results of the Year into future activities and policies in order to continue to pursue the objectives of the International Youth Year: Participation, Development, Peace;

6. *Requests* the appropriate United Nations bodies and the specialized agencies to consider taking up in their programmes every year one or more specific youth-related projects to be elaborated in close co-operation with non-governmental youth organizations on such themes as communication, housing, culture, youth employment and education;

7. *Recommends* that the Secretary-General keep under review the youth element in the programmes of appropriate United Nations bodies and the specialized agencies;

8. *Requests* the Commission for Social Development to examine, on a regular basis, specific youth issues, in keeping with the objectives of the International Youth Year: Participation, Development, Peace;

9. *Stresses again* the importance of the active and direct participation of youth and youth organizations in the activities organized at the local, national, regional and international levels in the field of youth;

10. *Emphasizes* the importance of improving the active use of the channels of communication between the United Nations system and youth organizations, at both the national and international levels;

11. *Invites* Governments again to consider the regular inclusion of youth representatives in their national delegations to the General Assembly and other relevant United Nations meetings;

12. *Decides* to include in the provisional agenda of its forty-first session an item entitled "Policies and programmes involving young people: Participation, Development, Peace" and to evaluate, in this framework, the results of the International Youth Year on the basis of a report of the Secretary-General.

80th plenary meeting
18 November 1985

40/15. 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, 37/49 of 3 December 1982, 38/23 of 22 November 1983 and 39/23 of 23 November 1984, 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,⁶ the International Covenant on Economic, Social and Cultural Rights⁷ and the International Covenant on Civil and Political Rights,⁷ with special regard to the right to education and to work,

Aware of the fact that insufficient education and the unemployment of young people limit their ability to participate in the development process, and, in this regard, emphasizing the importance of secondary and higher education for young people, as well as access for them to appropriate technical and vocational guidance and training programmes,

Expressing its serious interest in consolidating and building further on the results of the International Youth Year in order to contribute, *inter alia*, to the 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 the specialized agencies to pay continuous attention, in further planning and suitable follow-up in the field of youth, to the implementation of General Assembly resolutions 36/29, 37/49, 38/23 and 39/23 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 unemployment among youth;

2. *Requests* the Commission for Social Development, in examining specific youth issues, to pay adequate attention to the enjoyment by youth of human rights, particularly the right to education and to work;

3. *Invites* national organs of co-ordination or organs implementing policies and programmes in the field of youth to give appropriate priority in the activities to be undertaken after the International Youth Year: Participation, Development, Peace to the implementation and the

⁴ A/40/256, annex.

⁵ A/40/631.

⁶ Resolution 217 A (III).

⁷ See resolution 2200 A (XXI), annex.

enjoyment by youth of human rights, particularly the right to education and to work.

*80th plenary meeting
18 November 1985*

40/16. Opportunities for youth

The General Assembly,

Mindful of the need to secure the employment of youth, which is a concern of global character,

Seriously concerned about the widespread lack of satisfactory integration of young people into the workplace in many countries,

Aware that the solid educational and vocational background of young people is of paramount importance in their aspirations to enter professional life,

Noting that many young people, having finished compulsory or primary education, do not enter any institution of higher education or vocational training, or, after beginning such education or training, are unable to complete it, and find it increasingly difficult to be suitably employed,

Seriously concerned that in a number of developing countries, particularly in the least developed ones, a substantial part of the school-age population has a limited possibility of receiving any kind of education, especially among the poor in both rural and urban areas,

Bearing in mind that in many developing countries the widespread lack of opportunity to receive appropriate education and training thus remains a serious impediment to the participation of youth in the development of their societies and to the attainment of the goals set out in the International Development Strategy for the Third United Nations Development Decade,⁸

Recognizing that greater awareness should be brought about by Governments and in the economic sectors in order to accord the highest priority to the elimination of youth unemployment where it exists,

Further recognizing that industrialization should duly take into account the requirements of the promotion of employment, especially for youth,

Taking note of the intention of the Government of Austria to organize and act as host to an international symposium of experts on the questions referred to below, to be held at Vienna in the spring of 1987,

Recalling the results and achievements of the International Youth Year: Participation, Development, Peace, in particular the guidelines for further planning and suitable follow-up in the field of youth,⁹

1. *Calls upon* Member States to lend increased attention to programmes to combat illiteracy and to young people who, after having finished compulsory or primary education, do not enter institutions of higher education or vocational training, or who, after beginning such education or training, are unable to complete it;

2. *Invites* Member States to consider steps to enable more young people to begin and complete higher education or vocational training;

3. *Urges* Member States to dedicate, whenever possible, more resources, through increased technical co-operation activities, to narrowing the gap between demand for and supply of educational and training opportunities at all levels in developing countries, particularly in the least developed ones, and thus to contribute to the achievement of greater equality of employment opportunities for young people in those countries;

4. *Calls upon* Member States to promote a better awareness of the need to preserve, whenever possible, and to increase work opportunities for young people of both sexes, with particular emphasis on equal opportunities for girls and young women;

5. *Recommends* to Member States that they should promote initiatives whereby new demands, fields or types of occupation are explored, including the fields of protection of the environment, agro-industries and other natural resource-based industries, new technologies as well as "alternative employment opportunities";

6. *Invites* Member States to examine more closely the consequences that the introduction of new technologies in developed and developing countries alike may have with regard to the number of work opportunities, especially for young people, and to find ways to offset any possible adverse consequences, ensuring that such technologies are only introduced in a socially compatible manner;

7. *Requests* the Secretary-General to include in his report on the implementation of the long-term plan of action on youth, to be submitted to the General Assembly at its forty-second session, a detailed analysis of the results of the symposium to be held at Vienna.

*80th plenary meeting
18 November 1985*

40/17. 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 also recalling its resolution 39/24 of 23 November 1984,

Bearing in mind the importance of the existence of effective channels of communication between the United Nations and youth and youth organizations as a necessary instrument for the information of young people and their participation in the work of the United Nations and the specialized agencies at the national, regional and international levels, and also for informing the United Nations of the problems facing youth with a view to finding solutions to such problems,

Taking note with appreciation of the reports of the Secretary-General on the implementation of the guidelines and additional guidelines for the improvement of channels of communication between the United Nations and youth and youth organizations⁵ and on the situation of youth in the 1980s,⁹

Taking note of the report of the Advisory Committee for the International Youth Year on its fourth session, held at Vienna from 25 March to 3 April 1985,⁴

Taking note further of the outcome of the youth conferences and meetings held during 1985 in observance of the International Youth Year: Participation, Development, Peace,¹⁰

Convinced that the effective and proper functioning of the channels of communication between the United Nations and youth and youth organizations forms a basic prerequisite for the active involvement of young people in the work of the United Nations,

⁸ Resolution 35/56, annex.

⁹ A/40/64-E/1985/5.

¹⁰ See A/40/701.

Convinced further that the participation of youth representatives from Member States in international conferences and meetings dealing with youth-related issues can enhance and strengthen the channels of communication through the discussion of such issues, with a view to finding solutions to problems confronting youth in the contemporary world,

1. *Calls upon* Member States, United Nations bodies, the specialized agencies and other governmental and inter-governmental organizations to implement fully the guidelines relating to the channels of communication adopted by the General Assembly in its resolutions 32/135 and 36/17, not only in general terms but also by concrete measures reflecting the issues of importance to young people;

2. *Invites* the Secretary-General to continue his efforts to make use of, further improve and, if possible, extend the existing channels of communication between the United Nations and youth and youth organizations;

3. *Calls upon* national youth mechanisms that have been set up by youth and youth organizations at the national, regional and interregional levels to continue to act as channels of communication between the United Nations and youth and youth organizations, and, where such mechanisms do not exist, recommends that national co-ordinating committees of the International Youth Year should continue to act as channels of communication;

4. *Takes note* of the recommendations on the channels of communication between the United Nations and youth and youth organizations, as contained in the report of the Secretary-General;⁵

5. *Decides* to consider at its forty-first session the item entitled "Policies and programmes relating to youth", on the basis of a report of the Secretary-General.

80th plenary meeting
18 November 1985

40/22. 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,⁶ the International Convention on the Elimination of All Forms of Racial Discrimination,¹¹ the International Convention on the Suppression and Punishment of the Crime of *Apartheid*¹² and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,¹³

Recalling also its resolution 3057 (XXVIII) of 2 November 1973, on the first Decade for Action to Combat Racism and Racial Discrimination, and its resolution 38/14 of 22 November 1983, on the Second Decade to Combat Racism and Racial Discrimination,

Recalling further the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and 1983, respectively,

Taking note once again of the Report of the Second World Conference to Combat Racism and Racial Discrimination,¹⁴

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 Action¹⁵ for the Second Decade to Combat Racism and Racial Discrimination,

Noting with concern that, despite the efforts of the international community, the principal objectives of the first Decade for Action to Combat Racism and Racial Discrimination were not attained and that millions of human beings continue to this day to be the victims of varied forms of racism, racial discrimination and *apartheid*,

Recalling its resolution 39/16 of 23 November 1984,

Emphasizing the necessity of attaining the objectives of the Second Decade to Combat Racism and Racial Discrimination,

Convinced of the need to take more effective and sustained international measures for the elimination of all forms of racism and racial discrimination and the total eradication of *apartheid* in South Africa,

1. *Resolves once again* that all forms of racism and racial discrimination, particularly in their institutionalized form, such as *apartheid*, or resulting from official doctrines of racial superiority or exclusivity, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

2. *Appeals* to the international community, in general, and the United Nations, in particular, to continue to give the highest priority to programmes for combating racism, racial discrimination and *apartheid*, and to intensify its own efforts, during the Second Decade to Combat Racism and Racial Discrimination, to provide assistance and relief to the victims of racism and all forms of racial discrimination and *apartheid*, especially in South Africa and Namibia and in occupied territories and territories under alien domination;

3. *Appeals* to all Governments and to international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and *apartheid* and to provide relief and assistance to the victims of these evils;

4. *Appeals* to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination so as to enable the Secretary-General to implement the various programme elements outlined in his report on the plan of activities for 1985-1989;¹⁶

5. *Takes note with appreciation* of the reports of the Secretary-General containing information on the activities of Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations, as well as United Nations organs, to give effect to the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;¹⁷

6. *Acknowledges* the progress made in preparing the study on the effects of racial discrimination in the field of

¹¹ Resolution 2106 A (XX), annex.

¹² Resolution 3068 (XXVIII), annex.

¹³ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Eleventh Session, Resolutions*, p. 119.

¹⁴ United Nations publication, Sales No. E.83.XIV.4 and corrigendum.

¹⁵ *Ibid.*, chap. II.

¹⁶ A/39/167-E/1984/33 and Add.1 and 2.

¹⁷ A/40/416 and E/1985/16 and Add.1.

education, training and employment as it affects the children of minorities, in particular those of migrant workers,¹⁸ authorizes the Secretary-General to solicit relevant information and views from Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council and requests him to submit the final study to the General Assembly at its forty-first session;

7. *Congratulates* the Secretary-General on the organization of the Round Table on International Legal Issues relating to *Apartheid*, Racism and Racial Discrimination, held at The Hague from 4 to 6 September 1985;

8. *Expresses its satisfaction* at the convening of the Seminar on Community Relations Commissions and Their Functions, held at Geneva from 9 to 20 September 1985, and invites the Secretary-General to disseminate the report of the Seminar widely;

9. *Reiterates its invitation* to the Secretary-General to proceed with the implementation of the activities outlined in his report on the plan of activities for 1985-1989 and to submit to the General Assembly at its forty-first session the study on the role of private group action to combat racism and racial discrimination and to the Assembly at its forty-third session the global compilation of national legislation against racial discrimination;

10. *Requests* the Secretary-General to prepare and issue as soon as possible a collection of model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination;

11. *Invites* the Secretary-General to organize in New York in 1987 a training course for legislative draftsmen with the aim of focusing on the preparation of national legislation against racism and racial discrimination;

12. *Invites* the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

13. *Requests* the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to consider the possible need for updating the study on racial discrimination;¹⁹

14. *Authorizes* the Secretary-General to organize in 1988 a global consultation on racial discrimination involving representatives of the United Nations system, regional intergovernmental organizations and interested non-governmental organizations in consultative status with the Economic and Social Council, to focus on the co-ordination of international activities to combat racism and racial discrimination;

15. *Welcomes* Economic and Social Council decision 1985/141 of 30 May 1985, by which the Council authorized the organization in 1986 in Africa of a seminar on international assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and *apartheid*, and requests that the report thereon be made available to the General Assembly at its forty-first session;

16. *Invites* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution;

17. *Requests* the Economic and Social Council, during the period of the Second Decade, to submit an annual report to the General Assembly, containing, *inter alia*:

(a) An enumeration of the activities undertaken or contemplated to achieve the objectives of the Second Decade, including the activities of Governments, United Nations bodies, the specialized agencies and other international and regional organizations, as well as non-governmental organizations;

(b) A review and appraisal of those activities;

(c) Its suggestions and recommendations;

18. *Decides* that the item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination" should be on its agenda throughout the Second Decade and should be considered as a matter of the highest priority at its forty-first session.

96th plenary meeting
29 November 1985

40/23. 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,²⁰

Mindful of the provisions of the Declaration and the Programme of Action on the Establishment of a New International Economic Order,²¹ as well as the Charter of International Rights and Duties of States,²²

Noting 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, 36/19 of 9 November 1981 and 38/25 of 22 November 1983, 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,

Considering that the exchange of national experience in achieving far-reaching social and economic changes for the purpose of social progress would contribute to the implementation of the International Development Strategy for the Third United Nations Development Decade,⁸

¹⁸ A/40/694 and Add.1.

¹⁹ United Nations publication, Sales No. E.76.XIV.2.

²⁰ Resolution 2542 (XXIV).

²¹ Resolutions 3201 (S-VI) and 3202 (S-VI).

²² Resolution 3281 (XXIX).

Reaffirming the sovereign and inalienable right of all peoples freely to determine their political status and freely to pursue their economic, social and cultural development,

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;²³

2. *Calls upon* all States to give special attention in their national development plans and programmes to the social aspects of development with a view to increasing the well-being of the population on the basis of its full participation in the process of development and a fair distribution of the benefits therefrom;

3. *Requests* the Secretary-General to proceed with the implementation of Economic and Social Council resolution 1985/32 of 29 May 1985, paying special attention to paragraphs 3 and 5 thereof;

4. *Further requests* the Secretary-General to make arrangements for holding in 1986 the interregional seminar called for in paragraph 3 of General Assembly resolution 38/25, within the resources allotted to the programme for sectoral and regional advisory services;

5. *Decides* to include in the provisional agenda of its forty-second session the item entitled "National experience in achieving far-reaching social and economic changes for the purpose of social progress".

*96th plenary meeting
29 November 1985*

40/24. 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,²⁴ 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 that are threatening to suppress, or have already suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

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 condition,

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,²⁵ thirty-seventh,²⁶ thirty-eighth,²⁷ thirty-ninth,²⁸ fortieth²⁹ and forty-first³⁰ sessions,

²³ A/40/65-E/1985/7 and Add.1.

²⁴ Resolution 2200 A (XXI), annex.

²⁵ See *Official Records of the Economic and Social Council, 1980, Supplement No. 3 (E/1980/13 and Corr.1)*, chap. XXVI, sect. A.

²⁶ *Ibid.*, 1981, *Supplement No. 5 (E/1981/25 and Corr.1)*, chap. XXVIII, sect. A.

²⁷ *Ibid.*, 1982, *Supplement No. 2 (E/1982/12 and Corr.1)*, chap. XXVI, sect. A.

Reiterating its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983 and 39/18 of 23 November 1984,

Taking note of the report of the Secretary-General,³¹

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 forty-first 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".

*96th plenary meeting
29 November 1985*

40/25. 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 regard-

²⁸ *Ibid.*, 1983, *Supplement No. 3 (E/1983/13 and Corr.1)*, chap. XXVII, sect. A.

²⁹ *Ibid.*, 1984, *Supplement No. 4 (E/1984/14 and Corr.1)*, chap. II, sect. A.

³⁰ *Ibid.*, 1985, *Supplement No. 2 (E/1985/22)*, chap. II, sect. A.

³¹ A/40/465 and Add.1 and 2.

ing the exercise of the right to self-determination by peoples under colonial and foreign domination,

Recalling its resolution 2649 (XXV) of 30 November 1970 and all resolutions on this question,

Recalling also its resolution 1514 (XV) and all resolutions 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, 3314 (XXIX) of 14 December 1974 and 38/137 of 19 December 1983, 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 resolutions 532 (1983) of 31 May 1983, 539 (1983) of 28 October 1983 and 566 (1985) of 19 June 1985,

Recalling 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,³²

Bearing in mind the outcome of the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983,³³

Welcoming the holding at Tunis from 7 to 9 August 1984 of the Conference of Arab Solidarity with the Struggle for Liberation in Southern Africa,³⁴

Recalling resolutions CM/Res.1002 (XLII) on South Africa and CM/Res.1003 (XLII) on Namibia adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985,³⁵

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,

Expressing its profound indignation at and its preoccupation with the brutal repression that followed the imposition of the so-called "new constitution" and the state of emergency by the *apartheid* régime of South Africa in defiance of world public opinion,

Reaffirming its resolution 39/2 of 28 September 1984 and recalling Security Council resolution 554 (1984) of 17 August 1984, which rejected the so-called "new constitution" as null and void, and Council resolution 569 (1985) of 14 August 1985,

Deeply concerned at the continued terrorist acts of aggression committed by the Pretoria régime against independent African States in the region,

Deeply indignant at the continued occupation of part of the territory of Angola by the troops of the racist régime of South Africa and the persistent, hostile and unprovoked acts of aggression and sustained armed invasions carried

out by that régime in violation of the sovereignty, airspace and territorial integrity of Angola, in particular the armed invasion of Angola on 28 September 1985,

Recalling Security Council resolutions 527 (1982) of 15 December 1982 and 535 (1983) of 29 June 1983 on Lesotho, and Council resolutions 568 (1985) of 21 June 1985 and 572 (1985) of 30 September 1985 on Botswana,

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 1977,³⁶

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, 37/86 of 10 December 1982, 38/58 of 13 December 1983 and 39/49 D of 11 December 1984,

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,³⁷

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 independence, territorial integrity, 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. *Calls for* the full and immediate implementation of the declarations and programmes of action on Namibia and on Palestine adopted by the international conferences on those questions;

6. *Reaffirms* its vigorous condemnation of the continued illegal occupation of Namibia by South Africa;

7. *Condemns* the racist régime of South Africa for its installation of a so-called "interim administration" at Windhoek and declares that action to be illegal, null and void;

³² 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), part three.

³³ See A/38/311-S/15883, annex.

³⁴ See A/39/450-S/16726.

³⁵ See A/40/666, annex II.

³⁶ A/32/61, annex I.

³⁷ 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.

8. *Further 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;
9. *Reaffirms* its rejection of the so-called "new constitution" as null and void and reiterates that peace in South Africa can only be guaranteed by the establishment of majority rule through the full and free exercise of adult suffrage by all the people in a united and undivided South Africa;
10. *Strongly condemns* the wanton killing of peaceful and defenceless demonstrators and workers on strike, as well as the arbitrary arrests of the leaders and activists of the United Democratic Front, National Forum, trade unions and other mass organizations, and demands their immediate and unconditional release, in particular that of Nelson Mandela and Zephania Mothopeng;
11. *Strongly condemns* South Africa for the imposition of the state of emergency under its repugnant Internal Security Act and calls for the immediate lifting of the state of emergency, as well as the repeal of the Internal Security Act;
12. *Condemns* South Africa for its increasing oppression of the Namibian people, for the massive militarization of Namibia and for its armed attacks launched against the States in the region in order to destabilize them politically and to sabotage and destroy their economies;
13. *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;
14. *Strongly condemns* the repeated acts of aggression and the continued occupation of parts of southern Angola and demands the immediate and unconditional withdrawal of the South African troops from Angolan territory;
15. *Strongly condemns* the persistent, hostile and unprovoked acts of aggression and sustained armed invasions carried out by the racist régime of South Africa in violation of the sovereignty, airspace and territorial integrity of Angola, in particular the armed invasion of Angola on 28 September 1985;
16. *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 those countries in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity and peacefully rebuild and develop;
17. *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;
18. *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, 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;
19. *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 so that it would desist from its terrorist acts against Lesotho;
20. *Strongly condemns* the unprovoked and unwarranted military attack on the capital of Botswana and demands that the racist régime pay full and adequate compensation to Botswana for the loss of life and damage to property;
21. *Denounces* the collusion between Israel and South Africa and expresses support for the Declaration of the International Conference on the Alliance between South Africa and Israel;³³
22. *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 of South Africa encourage that régime to persist in its suppression of the aspirations of peoples to self-determination and independence;
23. *Again demands* the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977) of 4 November 1977, by all countries and more particularly by those countries that maintain military and nuclear cooperation with the racist Pretoria régime and continue to supply it with related *matériel*;
24. *Calls* for the full implementation of the provisions of the Paris Declaration on Sanctions against South Africa and the Special Declaration on Namibia adopted by the International Conference on Sanctions against South Africa,³⁸ held under the auspices of the United Nations and the Organization of African Unity;
25. *Demands once again* the immediate implementation of its resolution ES-8/2 on the question of Namibia;
26. *Reaffirms* all relevant resolutions adopted by the Organization of African Unity and the United Nations on the question of Western Sahara, including General Assembly resolution 39/40 of 5 December 1984, and calls upon the current Chairman of the Organization of African Unity and the Secretary-General of the United Nations to continue their efforts to find a just and lasting solution to this matter;
27. *Urges* all States, the 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;
28. *Notes* 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 into the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on the question;
29. *Calls* for a substantial increase in all forms of assistance given by all States, United Nations organs, the specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and *apar-*

³⁸ Report of the International Conference on Sanctions against South Africa, Paris, 20-27 May 1981 (A/CONF.107/8), sect. X.

heid through their national liberation movements recognized by the Organization of African Unity;

30. *Demands* the immediate release of women and children detained in Namibia and South Africa;

31. *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;

32. *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,³⁹ under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

33. *Urges* all States, the 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;

34. *Expresses its appreciation* for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, organizations of the United Nations system and intergovernmental organizations, and calls for a substantial increase in this assistance;

35. *Urges* all States, the 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;

36. *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 in this regard;

37. *Decides* to consider this item again at its forty-first 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.

*96th plenary meeting
29 November 1985*

40/26. 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, 37/45 of 3 December 1982, 38/18 of 22 November 1983 and 39/20 of 23 November 1984,

Expressing its satisfaction with the entry into force, on 3 December 1982, of the competence of the Committee on the Elimination of Racial Discrimination, under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination,⁴¹ to accept and to examine communications from persons or groups of persons, and with the fact that since that date more States parties have made the declaration provided for in that article,

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;³⁹

2. *Expresses its satisfaction* at 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 Second Decade to Combat Racism and Racial Discrimination;⁴⁰

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.

*96th plenary meeting
29 November 1985*

40/27. 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,

Taking note of the finding of the Group of Three of the Commission on Human Rights, established in accordance with article IX of the Convention, that the crime of *apartheid* is a form of the crime of genocide,⁴¹

Strongly condemning South Africa's continued policy of *apartheid* and its continued illegal occupation of Namibia, as well as its recent acts of aggression against Angola and other African States,

Alarmed by the aggravation of the situation in South Africa, in particular the further escalation of ruthless repression by the Fascist-like *apartheid* régime, including the use of the armed forces against the opposing people and the imposition of virtual martial-law conditions intended to facilitate the brutal oppression of the black population,

Condemning the continued collaboration of certain States and transnational corporations with the racist régime of South Africa in the political, economic, military

³⁹ A/40/607.

⁴⁰ See resolution 38/14.

⁴¹ See E/CN.4/1985/27, sect. V

and other fields as an encouragement to the intensification of its odious 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 exercise 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 in accordance with Chapter VII of the Charter of the United Nations,

Underlining that ratification of or accession to the Convention on a universal basis and the implementation of its provisions without delay are necessary for its effectiveness, and therefore will contribute to the eradication of the crime 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*;⁴²

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, in particular those States that have jurisdiction over transnational corporations operating in South Africa and Namibia and without whose co-operation such operations cannot be halted;

4. *Takes note with appreciation* of the report of the Group of Three of the Commission on Human Rights, established in accordance with article IX of the Convention, and, in particular, of the conclusions and recommendations contained in that report;⁴¹

5. *Draws the attention* of all States to the opinion expressed by the Group of Three in its report that article III of the Convention could apply to the actions of transnational corporations operating in South Africa;

6. *Requests* the Commission on Human Rights 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;

7. *Requests* the Secretary-General to circulate the above-mentioned list to all States parties to the Convention and all Member States and to bring such facts to the attention of the public by all means of mass communication;

8. *Requests* the Secretary-General to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the forms of the crime of *apartheid*, as described in article II of the Convention, committed by transnational corporations operating in South Africa;

9. *Appeals* to all States, United Nations organs, the 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.

96th plenary meeting
29 November 1985

40/28. Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its resolutions 39/21 of 23 November 1984 on the report of the Committee on the Elimination of Racial Discrimination and 40/26 of 29 November 1985 on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,¹¹ as well as its other relevant resolutions on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination,⁴³

Having considered the report of the Committee on the Elimination of Racial Discrimination on the work of its thirty-first and thirty-second sessions,⁴⁴ submitted under article 9, paragraph 2, of the Convention,

Emphasizing the need for Member States to intensify, at the national and international levels, the struggle against acts or practices of racial discrimination and the vestiges or manifestations of racist ideologies wherever they exist,

Bearing in mind that the Convention is being implemented in different economic, social and cultural conditions prevailing in individual States parties,

Mindful of the obligation of all States parties to comply fully with the provisions of the Convention,

Aware of the importance of the contribution of the Committee to the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and to the elimination of all forms of discrimination based on race, colour, descent or national or ethnic origin,

Taking note of the decisions adopted and recommendations made by the Committee at its thirty-first and thirty-second sessions,

1. *Takes note* of the report of the Committee on the Elimination of Racial Discrimination on its thirty-first and thirty-second sessions;

2. *Also takes note* of the part of the report relating to Trust and Non-Self-Governing Territories and other Territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applies;⁴⁵

3. *Draws the attention* of the relevant United Nations bodies to the opinion and recommendations of the Committee relating to the Territories mentioned in paragraph 2 above, calls upon those bodies to ensure that the Committee is supplied with all relevant information on the Territories and urges all administering Powers to co-operate with those 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;

4. *Considers* that the Committee should not take into consideration information on Territories to which General Assembly resolution 1514 (XV) applies unless such infor-

⁴² A/40/606.

⁴³ Resolution 38/14, annex.

⁴⁴ Official Records of the General Assembly, Fortieth Session, Supplement No. 18 (A/40/18).

⁴⁵ *Ibid.*, sect. V.

mation is communicated by the competent United Nations bodies in conformity with article 15 of the Convention;

5. *Strongly condemns* the policy of *apartheid* in South Africa and Namibia as a crime against humanity and urges all Member States to adopt effective political, economic and other measures in conformity with the relevant resolutions of the General Assembly, the Security Council and other United Nations bodies, in order to support the legitimate struggle of the oppressed peoples of South Africa and Namibia for their national liberation and human dignity and to secure the elimination of the racist *apartheid* system;

6. *Commends* the Committee for its continuous endeavours towards the elimination of all forms of discrimination based on race, colour, descent or national or ethnic origin, in particular the elimination of *apartheid* in South Africa and Namibia, and welcomes the decision on *apartheid* adopted by the Committee at its thirty-second session;⁴⁶

7. *Notes with appreciation* the Committee's continued participation in the activities within the framework of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

8. *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;

9. *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;

10. *Calls upon* 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;

11. *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;

12. *Commends* the States parties to the Convention on measures taken to ensure, within their jurisdiction, the availability of appropriate recourse procedures for the victims of racial discrimination;

13. *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 populations and on their relations with the racist régime of South Africa;

14. *Appeals* to the States parties to take fully into consideration their obligation under the Convention to submit their reports in due time;

15. *Commends* the Committee for its efforts towards a further universalization and a more consistent implementation of the Convention and welcomes its General Recommendation VII relating to the implementation of article 4 of the Convention;⁴⁷

16. *Requests* the Secretary-General to take the necessary steps to ensure wider publicity of the work of the Committee, which would facilitate its task to implement effectively its functions under the Convention, and to inform the General Assembly at its forty-first session of the action taken in that regard.

96th plenary meeting
29 November 1985

40/29. Question of aging

The General Assembly,

Reaffirming its resolution 39/25 of 23 November 1984, in which it recognized the increasing awareness in many countries of issues related to aging and of the need to provide national authorities, at their request, with technical and financial assistance in their efforts to implement policies and programmes,

Endorsing Economic and Social Council resolution 1985/28 of 29 May 1985, in which Governments and intergovernmental and non-governmental organizations were urged to continue to strengthen their efforts to implement the principles and objectives of the International Plan of Action on Aging⁴⁸ and in which the Secretary-General was requested to include, on an annual basis, the United Nations Trust Fund for Aging⁴⁹ among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities,

Emphasizing the importance of regional meetings to consider the implementation of the recommendations of the Plan of Action, as demonstrated by the African Regional Conference on Aging, held at Dakar in December 1984,

Emphasizing also the positive results of the convening of seminars and meetings to exchange information, knowledge and experience on the question of aging, particularly among developing countries,

Recognizing that the dramatic increase in the numbers and proportion of older adults has serious socio-economic implications and is resulting in an increasing need for research and training at all levels,

Recalling the recommendations of the International Conference on Population,⁵⁰ which paid particular attention to the urgent and emerging issues of aging,

Appreciating the efforts of the Director-General for Development and International Economic Co-operation to establish a steering committee and a working group to follow up the implementation of General Assembly resolution 39/228 of 18 December 1984 on the International Conference on Population,

Appreciating the attention given to the question of elderly women by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace and the inclusion of this issue in the Nairobi Forward-looking Strategies for the Advancement of Women,⁵¹

⁴⁶ *Ibid.*, sect. VII.B, decision 1 (XXXII).

⁴⁷ *Ibid.*, decision 2 (XXXII).

⁴⁸ 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.

⁴⁹ Previously known as the United Nations Trust Fund for the World Assembly on Aging.

⁵⁰ See *Report of the International Conference on Population, 1984, Mexico City, 6-14 August 1984* (United Nations publication, Sales No. E.84.XIII.8 and corrigenda), chap. I.

⁵¹ *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

Stressing the importance of the activities of the United Nations Trust Fund for Aging to assist countries, at their request, in formulating and implementing policies and programmes on aging,

Noting with concern the discrepancies between the resources of the Trust Fund and the number of requests received for assistance,

1. *Takes note with appreciation* of the report of the Secretary-General on the question of aging;⁵²

2. *Calls upon* Governments to ensure that the question of aging is incorporated into their national development plans in accordance with the culture and traditions of their countries;

3. *Encourages* Governments to consider convening regional and subregional meetings on the applicability of the recommendations of the International Plan of Action on Aging to their particular needs and conditions;

4. *Requests* the Secretary-General to continue to promote the exchange of information and experience in order to stimulate progress on the question of aging, to encourage the adoption of measures to respond to the economic and social implications of aging and to meet the needs of older persons;

5. *Requests* the Secretary-General to ensure that due consideration is given to the question of aging in the work of the steering committee and the working group to follow up the implementation of General Assembly resolution 39/228 on the International Conference on Population;

6. *Requests* the Secretary-General, in implementing the programme on aging, to pay special attention to the question of elderly women;

7. *Invites* the United Nations Development Fund for Women to give due consideration to projects aimed at benefiting elderly women;

8. *Requests* the Secretary-General to respond favourably to the request of the African Regional Conference on Aging for assistance in establishing an African gerontological society;

9. *Urges* the Secretary-General to take immediate and urgent steps to promote the United Nations Trust Fund for Aging so that it may effectively continue to provide assistance to developing countries, at their request;

10. *Urges* the Secretary-General to include in technical co-operation programmes, to the extent feasible under the funding of those programmes, advisory services to developing countries that request them;

11. *Invites* Governments and non-governmental organizations to continue and, where possible, to increase their contributions to the United Nations Trust Fund for Aging, and calls upon Governments and non-governmental organizations that have not yet done so to consider contributing to the Trust Fund;

12. *Invites* the United Nations Fund for Population Activities to consider co-operating with the United Nations Trust Fund for Aging in providing assistance for projects received by the Trust Fund that fall within its mandate;

13. *Requests* the Secretary-General to submit to the General Assembly at its forty-first session a progress report on the implementation of the recommendations contained in the present resolution;

14. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Question of aging".

96th plenary meeting
29 November 1985

40/30. Implementation of the International Plan of Action on Aging

The General Assembly,

Recalling its resolution 33/52 of 14 December 1978, by which it decided to organize a World Assembly on Aging in 1982 as a forum to launch an international programme of action aimed at guaranteeing economic and social security to older persons, as well as opportunities for them to contribute to national development,

Recalling further its resolution 37/51 of 3 December 1982, by which it endorsed the International Plan of Action on Aging adopted by consensus by the World Assembly on Aging,⁴⁸

Reaffirming the part of the preamble of the Plan of Action that solemnly recognizes that the quality of life is no less important than longevity and that the aging should therefore, as far as possible, be enabled to enjoy in their own families and communities a life of fulfilment, health, security and contentment and be appreciated as an integral part of society,

Well aware that the formulation and implementation of policies on aging are the sovereign right and responsibility of each State, and recognizing that the promotion of the activities, safety and well-being of the elderly should be an essential part of an integrated and concerted development effort,

Concerned that the report of the Secretary-General on the first review and appraisal of the implementation of the Plan of Action⁵³ shows that, in 1985, 55.4 per cent of the global population of the elderly is living in developing regions and that, according to projections, by the year 2025 more than 70 per cent of all persons sixty years of age and over will live in developing countries, which are least prepared to meet the economic and social consequences of this drastic shift in population structure,

Convinced that the elderly must be considered an important and necessary element in the development process at all levels within a given society,

Convinced also that increasing longevity is an achievement of mankind and a sign of progress, and that the aged are an asset and not a liability to society because of the invaluable contribution they can make by virtue of their accumulated wealth of knowledge and experience,

Mindful that 1985 is the first year in which the General Assembly has had the opportunity to review the progress made in implementing the Plan of Action, adopted in 1982,

Noting with concern that contributions pledged to the United Nations Trust Fund for Aging decreased to \$39,110 in the twelve-month period ending in December 1984, despite the repeated appeals of the Secretary-General to increase contributions,

Noting also with concern that the expenditures of the Trust Fund are expected to decrease from \$450,000 in the biennium 1984-1985 to \$150,000 in the next biennium,

Alarmed that the proposed programme budget for the biennium 1986-1987 shows a projected cut of 30 per cent in the funds to be allocated from the regular budget to the Aging Unit of the Centre for Social Development and Humanitarian Affairs,

Deeply preoccupied with the fact that the Aging Unit lacks the structural organization, autonomy, funds and necessary manpower to carry out effectively its mandate of implementing the Plan of Action,

1. *Requests* the Secretary-General to invite Member States, the specialized agencies and other organizations

⁵² A/40/714.

⁵³ See E/1985/6 and Corr.1.

concerned within the United Nations system to comment on ways and means of implementing the International Plan of Action on Aging and, in particular, on the desirability and viability of elaborating a United Nations programme for the implementation of the Plan of Action, and to prepare a report on the basis of these comments for submission to the Economic and Social Council at its first regular session of 1986;

2. *Further requests* the Secretary-General to include in that report a full analysis of the programmatic and financial aspects of activities undertaken by all organs, bodies and organizations of the United Nations system under the Plan of Action since its inception;

3. *Invites* interested non-governmental organizations in consultative status with the Economic and Social Council to provide, through the Secretary-General, information and documentation that will facilitate this work;

4. *Requests* the Economic and Social Council to consider the report at its first regular session of 1986 and to submit appropriate recommendations to the General Assembly at its forty-first session;

5. *Decides* to consider at its forty-first session the recommendations of the Economic and Social Council as a matter of high priority.

96th plenary meeting
29 November 1985

40/31. Implementation of the World Programme of Action concerning Disabled Persons and United Nations Decade of Disabled Persons

The General Assembly,

Recalling its resolutions 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons,⁵⁴ 37/53 of 3 December 1982, by which, *inter alia*, it proclaimed the period 1983-1992 the United Nations Decade of Disabled Persons, 38/28 of 22 November 1983, in which it recognized the United Nations Trust Fund for the International Year of Disabled Persons as an important instrument for the implementation of the World Programme of Action concerning Disabled Persons and the desirability of the continuation of the Trust Fund throughout the Decade, and 39/26 of 23 November 1984, by which it adopted further specific measures for implementation of the World Programme of Action,

Taking note of Economic and Social Council resolution 1985/35 of 29 May 1985, in which, *inter alia*, the Secretary-General was requested, in order to facilitate contributions by Governments, to include, on an annual basis, the United Nations Trust Fund for the International Year of Disabled Persons among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities,

Noting with satisfaction the concrete measures already carried out by the Governments of Member States, the bodies and organizations of the United Nations system and non-governmental organizations to implement the objectives of the World Programme of Action within the framework of the United Nations Decade of Disabled Persons,

Noting with appreciation the steps taken by the United Nations system and by non-governmental organizations concerned to establish a monitoring procedure and prepare a consolidated questionnaire to monitor the implementation of the World Programme of Action,

Noting with concern that, in spite of a number of contributions made by Governments between 1981 and 1985 and constant appeals by the General Assembly and other United Nations organs to contribute to the financing of activities for the disabled, progress towards the improvement of the situation of the disabled in the developing countries has been slow,

Noting with serious concern the alarming situation of disabled persons in developing countries and the critical economic situation in a number of countries, in particular in Africa and Latin America and the least developed countries,

Mindful that, since developing countries are experiencing difficulties in mobilizing resources, international co-operation should be encouraged to assist national efforts in implementing the World Programme of Action and the United Nations Decade of Disabled Persons,

Taking note of the report of the Secretary-General on the implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons,⁵⁵

Expressing its appreciation to Member States and organizations, in particular to the twenty-five States that have donated \$1.6 million over the past few years,

Expressing its appreciation of the useful role played by the United Nations Trust Fund for the International Year of Disabled Persons in implementing the World Programme of Action,

1. *Urges* all Member States and other donors to consider further generous contributions to the United Nations Trust Fund for the International Year of Disabled Persons;

2. *Expresses its appreciation* to Member States that have established national committees or similar bodies to co-ordinate activities in the field of disability and encourages all Member States to do so;

3. *Invites* Member States to reinforce national committees as focal points for the United Nations Decade of Disabled Persons, to stimulate activities at the national level, to mobilize public opinion on behalf of the Decade, to participate in the implementation of disability projects with regard to the International Year of Disabled Persons and to assist in monitoring and evaluating the implementation of the World Programme of Action concerning Disabled Persons;

4. *Encourages* Member States to translate the World Programme of Action into national languages;

5. *Invites* Member States, in close collaboration with the national committees and non-governmental organizations concerned, to submit their replies to the questionnaire for the first round of monitoring and implementing the World Programme of Action to the Secretary-General as soon as possible for inclusion in his report on the evaluation of progress at mid-Decade, to be submitted to the General Assembly at its forty-second session;

6. *Urges* the Secretary-General to comply with paragraphs 157 and 158 of the World Programme of Action;

7. *Invites* all States to give high priority to consideration of projects concerning the prevention of disabilities, rehabilitation and the equalization of the opportunities of disabled persons within the framework of bilateral assistance;

8. *Reiterates* the need to give greater publicity to the United Nations Decade of Disabled Persons and calls upon Member States, national committees and non-governmental organizations to assist in publicizing the Decade by all appropriate means;

⁵⁴ A/37/351/Add.1 and Add.1/Corr.1, annex, sect. VIII, recommendation 1 (IV).

⁵⁵ A/40/728 and Corr.1.

9. *Takes note* of the measures taken by the bodies and organizations of the United Nations system to promote equal employment opportunities for disabled persons and urges them to continue their efforts in this field;

10. *Endorses*, in particular, the terms of reference proposed in the report of the Secretary-General⁵⁵ for the United Nations Trust Fund for the International Year of Disabled Persons, henceforth to be called the Voluntary Fund for the United Nations Decade of Disabled Persons;

11. *Requests* the Secretary-General to continue to administer donated funds, using them for projects under the present structure of the Trust Fund, and in addition to make new provisions in order to offer a selection of projects to donor countries which might be willing to finance a particular programme under the "Special Purpose Contributions";

12. *Reaffirms* that the resources of the Trust Fund should be used to support catalytic and innovative activities in order to implement further the objectives of the World Programme of Action within the framework of the United Nations Decade of Disabled Persons, with priority given, as appropriate, to programmes and projects of the least developed countries;

13. *Requests* all bodies and organizations of the United Nations system administering assistance projects to take into account the concerns of disabled persons in their projects for the rehabilitation of the disabled and their integration into society, as well as to include disabled persons in their overall planning objectives;

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

15. *Further requests* the Secretary-General to include in the report requested in paragraph 14 above information on preparations for the meeting of experts to evaluate progress at the mid-Decade, as provided for in paragraph 16 of resolution 37/53 and paragraph 13 of resolution 39/26, as well as information on the establishment of inter-organizational task forces, as recommended by the Advisory Committee for the International Year of Disabled Persons at its third and fourth sessions and by the General Assembly in paragraph 17 of its resolution 36/77 in order to provide support services for the exchange of technical information and transfer of technological know-how and other activities in the fields of prevention, rehabilitation and equalization of opportunities in developing countries;

16. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Implementation of the World Programme of Action concerning Disabled Persons and United Nations Decade of Disabled Persons".

*96th plenary meeting
29 November 1985*

40/32. Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 35/171 of 15 December 1980, in which it endorsed the Caracas Declaration, annexed to that resolution, and urged implementation of the conclusions relating to the new perspectives for international co-operation in crime prevention in the context of development adopted by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁵⁶

Recalling also its resolution 36/21 of 9 November 1981, in which the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders was invited to consider current and emerging trends in crime prevention and criminal justice, with a view to defining new guiding principles for the future course of crime prevention and criminal justice in the context of development needs, the goals of the International Development Strategy for the Third United Nations Development Decade⁸ and the Declaration and the Programme of Action on the Establishment of a New International Economic Order,²¹ taking into account the political, economic, social and cultural circumstances and traditions of each country and the need for crime prevention and criminal justice systems to be consonant with the principles of social justice,

Recalling further its resolution 39/112 of 14 December 1984, in which the Secretary-General was requested to ensure that the substantive and organizational work of the Seventh Congress was fully adequate for its successful outcome,

Emphasizing the responsibility assumed by the United Nations in crime prevention under General Assembly resolution 415 (V) of 1 December 1950, which was affirmed by the Economic and Social Council in its resolutions 731 F (XXVIII) of 30 July 1959 and 830 D (XXXII) of 2 August 1961, and in the promotion and strengthening of international co-operation in this field in accordance with Assembly resolutions 3021 (XXVII) of 18 December 1972, 32/59 and 32/60 of 8 December 1977, 35/171 of 15 December 1980 and 36/21 of 9 November 1981,

Bearing in mind the theme of the Seventh Congress, "Crime prevention for freedom, justice, peace and development", and the importance of preserving peace as a condition for development and international co-operation,

Welcoming the fact that the Congress, in accordance with General Assembly resolution 39/112, paid particular attention to the question of illicit drug trafficking,

Alarmed by the growth and seriousness of crime in many parts of the world, including conventional and non-conventional criminality, which have a negative impact on development and the quality of life,

Considering that crime, particularly in its new forms and dimensions, seriously impairs the development process of many countries, as well as their international relations,

Noting that the function of the criminal justice system is to contribute to the protection of the basic values and norms of society,

Aware of the importance of enhancing the efficiency and effectiveness of criminal justice systems,

Noting that to limit effectively the harm caused by modern economic and unconventional crime, policy measures should be based on an integrated approach, the main emphasis being placed on the reduction of opportunities to commit crime and on the strengthening of norms and attitudes against it,

Aware of the importance of crime prevention and criminal justice, which embraces policies, processes and institutions aimed at controlling criminality and ensuring equal and fair treatment for all those involved in the criminal justice process,

Mindful that the incorporation of crime prevention and criminal justice policies in the planning process can help to ensure a better life for people throughout the world, promote the equality of rights and social security, enhance the effectiveness of crime prevention, especially in such

⁵⁶ 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. C.

spheres as urbanization, industrialization, education, health, population growth and migration, housing and social welfare, and substantially reduce the social costs directly and indirectly related to crime and crime control by ensuring social justice, respect for human dignity, freedom, equality and security,

Convinced that due attention should be paid to crime prevention and criminal justice and the related processes, including the fate of victims of crime, the role of youth in contemporary society and the application of United Nations standards and norms,

Determined to improve regional, interregional and international co-operation and co-ordination to achieve further progress in this area, including effective and full implementation of the resolutions of the Seventh Congress,

Having considered the report of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁵⁷ the report of the Secretary-General on the implementation of the recommendations of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁵⁸ and the report of the Secretary-General on the implementation of the conclusions of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁵⁹ all submitted in pursuance of General Assembly resolution 39/112,

1. *Expresses its satisfaction* with the report of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and with the preparatory work carried out by the Committee on Crime Prevention and Control, as the preparatory body for the Congress, at its seventh and eighth sessions and by the regional and interregional preparatory meetings convened in co-operation with the regional commissions, interregional and regional crime prevention institutes and interested Governments;

2. *Takes note* of the report of the Secretary-General on the implementation of the recommendations of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and of his report on the conclusions of the Seventh Congress;

3. *Approves* the Milan Plan of Action,⁶⁰ adopted by consensus by the Seventh Congress, as a useful and effective means of strengthening international co-operation in the field of crime prevention and criminal justice;

4. *Recommends* the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order⁶¹ for national, regional and international action, as appropriate, taking into account the political, economic, social and cultural circumstances and traditions of each country on the basis of the principles of the sovereign equality of States and of non-interference in their internal affairs;

5. *Endorses* the other resolutions adopted unanimously by the Seventh Congress;

6. *Invites* Governments to be guided by the Milan Plan of Action in the formulation of appropriate legislation and policy directives and to make continuous efforts to implement the principles contained in the Caracas Declaration and other relevant resolutions and recommendations adopted by the Sixth Congress, in accordance with the economic, social, cultural and political circumstances of each country;

7. *Also invites* Member States to monitor systematically the steps being taken to ensure co-ordination of efforts in the planning and execution of effective and humane measures to reduce the social costs of crime and its negative effects on the development process, as well as to explore new avenues for international co-operation in this field;

8. *Invites* the Committee on Crime Prevention and Control to review, at its ninth session, the Milan Plan of Action, the resolutions and recommendations adopted unanimously by the Seventh Congress and their implications for the programmes of the United Nations system and to make specific recommendations on the implementation thereof in its report to the Economic and Social Council at its first regular session of 1986;

9. *Requests* the Economic and Social Council to examine, at its first regular session of 1986, the report of the Committee on Crime Prevention and Control and the recommendations of the Seventh Congress for further implementation of the Milan Plan of Action in order to provide, within the United Nations system, overall policy guidance on crime prevention and criminal justice, and to undertake periodically the review, monitoring and appraisal of the Milan Plan of Action;

10. *Urges* the United Nations system, including the regional and interregional institutes in the field of crime prevention and the treatment of offenders and the relevant non-governmental organizations having consultative status with the Economic and Social Council to become actively involved in the implementation of the recommendations of the Seventh Congress;

11. *Also urges* the Department of Technical Co-operation for Development of the Secretariat and the United Nations Development Programme to give their full support to projects of technical assistance, in particular to developing countries, in the field of crime prevention and criminal justice and to encourage technical co-operation among developing countries;

12. *Requests* the Secretary-General to make every effort to translate into action, as appropriate, the relevant recommendations and policies stemming from the Milan Plan of Action and the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order and to ensure that the other resolutions and recommendations adopted unanimously by the Seventh Congress are followed up adequately;

13. *Also requests* the Secretary-General, in his report to the Committee on Crime Prevention and Control, to initiate a review, as a matter of urgency, of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice, including the United Nations regional and interregional institutes, paying special attention to improving the co-ordination of relevant activities within the United Nations in all related areas in order to establish priorities and ensure the continuing relevance and responsiveness of the United Nations to emerging needs, and to submit the final report to the Economic and Social Council at its first regular session of 1987;

14. *Further requests* the Secretary-General to circulate the report of the Seventh Congress to Member States and intergovernmental organizations in order to ensure that it

⁵⁷ Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1).

⁵⁸ A/40/482 and Corr.1 and 2.

⁵⁹ A/40/751.

⁶⁰ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. A.

⁶¹ *Ibid.*, sect. B.

is disseminated as widely as possible, and to strengthen information activities in this field;

15. *Requests* the Secretary-General to submit to the General Assembly, at its forty-first session, a report on the measures taken to implement the present resolution;

16. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Crime prevention and criminal justice".

*96th plenary meeting
29 November 1985*

40/33. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)

The General Assembly,

Bearing in mind the Universal Declaration of Human Rights,⁶ the International Covenant on Civil and Political Rights⁷ and the International Covenant on Economic, Social and Cultural Rights,⁷ as well as other international human rights instruments pertaining to the rights of young persons,

Also bearing in mind that 1985 was designated the International Youth Year: Participation, Development, Peace and that the international community has placed importance on the protection and promotion of the rights of the young, as witnessed by the significance attached to the Declaration of the Rights of the Child,⁶²

Recalling resolution 4 adopted by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁶³ which called for the development of standard minimum rules for the administration of juvenile justice and the care of juveniles which could serve as a model for Member States,

Recalling also Economic and Social Council decision 1984/153 of 25 May 1984, by which the draft rules were forwarded to the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Milan, Italy, from 26 August to 6 September 1985, through the Interregional Preparatory Meeting held at Beijing from 14 to 18 May 1984,⁶⁴

Recognizing that the young, owing to their early stage of human development, require particular care and assistance with regard to physical, mental and social development, and require legal protection in conditions of peace, freedom, dignity and security,

Considering that existing national legislation, policies and practices may well require review and amendment in view of the standards contained in the rules,

Considering further that, although such standards may seem difficult to achieve at present, in view of existing social, economic, cultural, political and legal conditions, they are nevertheless intended to be attainable as a policy minimum,

1. *Notes with appreciation* the work carried out by the Committee on Crime Prevention and Control, the Secretary-General, the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders and other United Nations institutes in the development of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice;

2. *Takes note with appreciation* of the report of the Secretary-General on the draft United Nations Standard

Minimum Rules for the Administration of Juvenile Justice;⁶⁵

3. *Commends* the Interregional Preparatory Meeting held at Beijing for having finalized the text of the rules submitted to the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders for consideration and final action;

4. *Adopts* the United Nations Standard Minimum Rules for the Administration of Juvenile Justice recommended by the Seventh Congress, contained in the annex to the present resolution, and approves the recommendation of the Seventh Congress that the Rules should be known as "the Beijing Rules";

5. *Invites* Member States to adapt, wherever this is necessary, their national legislation, policies and practices, particularly in training juvenile justice personnel, to the Beijing Rules and to bring the Rules to the attention of relevant authorities and the public in general;

6. *Calls upon* the Committee on Crime Prevention and Control to formulate measures for the effective implementation of the Beijing Rules, with the assistance of the United Nations institutes on the prevention of crime and the treatment of offenders;

7. *Invites* Member States to inform the Secretary-General on the implementation of the Beijing Rules and to report regularly to the Committee on Crime Prevention and Control on the results achieved;

8. *Requests* Member States and the Secretary-General to undertake research and to develop a data base with respect to effective policies and practices in the administration of juvenile justice;

9. *Requests* the Secretary-General and invites Member States to ensure the widest possible dissemination of the text of the Beijing Rules in all of the official languages of the United Nations, including the intensification of information activities in the field of juvenile justice;

10. *Requests* the Secretary-General to develop pilot projects on the implementation of the Beijing Rules;

11. *Requests* the Secretary-General and Member States to provide the necessary resources to ensure the successful implementation of the Beijing Rules, in particular in the areas of recruitment, training and exchange of personnel, research and evaluation, and the development of new alternatives to institutionalization;

12. *Requests* the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to review the progress made in the implementation of the Beijing Rules and of the recommendations contained in the present resolution, under a separate agenda item on juvenile justice;

13. *Urges* all relevant bodies of the United Nations system, in particular the regional commissions and specialized agencies, the United Nations institutes for the prevention of crime and the treatment of offenders, other intergovernmental organizations and non-governmental organizations to collaborate with the Secretariat and to take the necessary measures to ensure a concerted and sustained effort, within their respective fields of technical competence, to implement the principles contained in the Beijing Rules.

*96th plenary meeting
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⁶² Resolution 1386 (XIV).

⁶³ 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.

⁶⁴ See "Report of the Interregional Preparatory Meeting for the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic IV: youth, crime and justice" (A/CONF.121/IPM/1).

⁶⁵ A/CONF.121/14 and Corr.1.

ANNEX

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)

Part one. General principles

1. Fundamental perspectives

- 1.1 Member States shall seek, in conformity with their respective general interests, to further the well-being of the juvenile and her or his family.
- 1.2 Member States shall endeavour to develop conditions that will ensure for the juvenile a meaningful life in the community, which, during that period in life when she or he is most susceptible to deviant behaviour, will foster a process of personal development and education that is as free from crime and delinquency as possible.
- 1.3 Sufficient attention shall be given to positive measures that involve the full mobilization of all possible resources, including the family, volunteers and other community groups, as well as schools and other community institutions, for the purpose of promoting the well-being of the juvenile, with a view to reducing the need for intervention under the law, and of effectively, fairly and humanely dealing with the juvenile in conflict with the law.
- 1.4 Juvenile justice shall be conceived as an integral part of the national development process of each country, within a comprehensive framework of social justice for all juveniles, thus, at the same time, contributing to the protection of the young and the maintenance of a peaceful order in society.
- 1.5 These Rules shall be implemented in the context of economic, social and cultural conditions prevailing in each Member State.
- 1.6 Juvenile justice services shall be systematically developed and co-ordinated with a view to improving and sustaining the competence of personnel involved in the services, including their methods, approaches and attitudes.

Commentary

These broad fundamental perspectives refer to comprehensive social policy in general and aim at promoting juvenile welfare to the greatest possible extent, which will minimize the necessity of intervention by the juvenile justice system, and in turn, will reduce the harm that may be caused by any intervention. Such care measures for the young, before the onset of delinquency, are basic policy requisites designed to obviate the need for the application of the Rules.

Rules 1.1 to 1.3 point to the important role that a constructive social policy for juveniles will play, *inter alia*, in the prevention of juvenile crime and delinquency. Rule 1.4 defines juvenile justice as an integral part of social justice for juveniles, while rule 1.6 refers to the necessity of constantly improving juvenile justice, without falling behind the development of progressive social policy for juveniles in general and bearing in mind the need for consistent improvement of staff services.

Rule 1.5 seeks to take account of existing conditions in Member States which would cause the manner of implementation of particular rules necessarily to be different from the manner adopted in other States.

2. Scope of the Rules and definitions used

- 2.1 The following Standard Minimum Rules shall be applied to juvenile offenders impartially, without distinction of any kind, for example as to race, colour, sex, language, religion, political or other opinions, national or social origin, property, birth or other status.
- 2.2 For purposes of these Rules, the following definitions shall be applied by Member States in a manner which is compatible with their respective legal systems and concepts:
 - (a) A *juvenile* is a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult;
 - (b) An *offence* is any behaviour (act or omission) that is punishable by law under the respective legal systems;
 - (c) A *juvenile offender* is a child or young person who is alleged to have committed or who has been found to have committed an offence.

- 2.3 Efforts shall be made to establish, in each national jurisdiction, a set of laws, rules and provisions specifically applicable to juvenile offenders and institutions and bodies entrusted with the functions of the administration of juvenile justice and designed:
 - (a) To meet the varying needs of juvenile offenders, while protecting their basic rights;
 - (b) To meet the needs of society;
 - (c) To implement the following rules thoroughly and fairly.

Commentary

The Standard Minimum Rules are deliberately formulated so as to be applicable within different legal systems and, at the same time, to set some minimum standards for the handling of juvenile offenders under any definition of a juvenile and under any system of dealing with juvenile offenders. The Rules are always to be applied impartially and without distinction of any kind.

Rule 2.1 therefore stresses the importance of the Rules always being applied impartially and without distinction of any kind. The rule follows the formulation of principle 2 of the Declaration of the Rights of the Child.⁶⁶

Rule 2.2 defines "juvenile" and "offence" as the components of the notion of the "juvenile offender", who is the main subject of these Standard Minimum Rules (see, however, also rules 3 and 4). It should be noted that age limits will depend on, and are explicitly made dependent on, each respective legal system, thus fully respecting the economic, social, political, cultural and legal systems of Member States. This makes for a wide variety of ages coming under the definition of "juvenile", ranging from 7 years to 18 years or above. Such a variety seems inevitable in view of the different national legal systems and does not diminish the impact of these Standard Minimum Rules.

Rule 2.3 is addressed to the necessity of specific national legislation for the optimal implementation of these Standard Minimum Rules, both legally and practically.

3. Extension of the Rules

- 3.1 The relevant provisions of the Rules shall be applied not only to juvenile offenders but also to juveniles who may be proceeded against for any specific behaviour that would not be punishable if committed by an adult.
- 3.2 Efforts shall be made to extend the principles embodied in the Rules to all juveniles who are dealt with in welfare and care proceedings.
- 3.3 Efforts shall also be made to extend the principles embodied in the Rules to young adult offenders.

Commentary

Rule 3 extends the protection afforded by the Standard Minimum Rules for the Administration of Juvenile Justice to cover:

- (a) The so-called "status offences" prescribed in various national legal systems where the range of behaviour considered to be an offence is wider for juveniles than it is for adults (for example, truancy, school and family disobedience, public drunkenness, etc.) (rule 3.1);
- (b) Juvenile welfare and care proceedings (rule 3.2);
- (c) Proceedings dealing with young adult offenders, depending of course on each given age limit (rule 3.3).

The extension of the Rules to cover these three areas seems to be justified. Rule 3.1 provides minimum guarantees in those fields, and rule 3.2 is considered a desirable step in the direction of more fair, equitable and humane justice for all juveniles in conflict with the law.

4. Age of criminal responsibility

- 4.1 In those legal systems recognizing the concept of the age of criminal responsibility for juveniles, the beginning of that age shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity.

Commentary

The minimum age of criminal responsibility differs widely owing to history and culture. The modern approach would be to consider whether a child can live up to the moral and psychological components of criminal responsibility; that is, whether a child, by virtue of her or his individual discernment and understanding, can be held responsible for essentially anti-social behaviour. If the age of criminal responsibility is fixed too low

of Intolerance and of Discrimination Based on Religion or Belief (resolution 36/55); the Standard Minimum Rules for the Treatment of Prisoners (see *Human Rights: A Compilation of International Instruments* (United Nations publication, Sales No. E.83.XIV.1)); the Caracas Declaration (resolution 35/171, annex); and rule 9.

⁶⁶ Resolution 1386 (XIV). See also the Convention on the Elimination of All Forms of Discrimination against Women (resolution 34/180, annex); the Declaration of the World Conference to Combat Racism and Racial Discrimination (*Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978* (United Nations publication, Sales No. E.79.XIV.2), chap. II); the Declaration on the Elimination of All Forms

or if there is no lower age limit at all, the notion of responsibility would become meaningless. In general, there is a close relationship between the notion of responsibility for delinquent or criminal behaviour and other social rights and responsibilities (such as marital status, civil majority, etc.).

Efforts should therefore be made to agree on a reasonable lowest age limit that is applicable internationally.

5. Aims of juvenile justice

- 5.1 The juvenile justice system shall emphasize the well-being of the juvenile and shall ensure that any reaction to juvenile offenders shall always be in proportion to the circumstances of both the offenders and the offence.

Commentary

Rule 5 refers to two of the most important objectives of juvenile justice. The first objective is the promotion of the well-being of the juvenile. This is the main focus of those legal systems in which juvenile offenders are dealt with by family courts or administrative authorities, but the well-being of the juvenile should also be emphasized in legal systems that follow the criminal court model, thus contributing to the avoidance of merely punitive sanctions. (See also rule 14.)

The second objective is "the principle of proportionality". This principle is well-known as an instrument for curbing punitive sanctions, mostly expressed in terms of just desert in relation to the gravity of the offence. The response to young offenders should be based on the consideration not only of the gravity of the offence but also of personal circumstances. The individual circumstances of the offender (for example social status, family situation, the harm caused by the offence or other factors affecting personal circumstances) should influence the proportionality of the reaction (for example by having regard to the offender's endeavour to indemnify the victim or to her or his willingness to turn to a wholesome and useful life).

By the same token, reactions aiming to ensure the welfare of the young offender may go beyond necessity and therefore infringe upon the fundamental rights of the young individual, as has been observed in some juvenile justice systems. Here, too, the proportionality of the reaction to the circumstances of both the offender and the offence, including the victim, should be safeguarded.

In essence, rule 5 calls for no less and no more than a fair reaction in any given case of juvenile delinquency and crime. The issues combined in the rule may help to stimulate development in both regards: new and innovative types of reactions are as desirable as precautions against any undue widening of the net of formal social control over juveniles.

6. Scope of discretion

- 6.1 In view of the varying special needs of juveniles as well as the variety of measures available, appropriate scope for discretion shall be allowed at all stages of proceedings and at the different levels of juvenile justice administration, including investigation, prosecution, adjudication and the follow-up of dispositions.
- 6.2 Efforts shall be made, however, to ensure sufficient accountability at all stages and levels in the exercise of any such discretion.
- 6.3 Those who exercise discretion shall be specially qualified or trained to exercise it judiciously and in accordance with their functions and mandates.

Commentary

Rules 6.1, 6.2 and 6.3 combine several important features of effective, fair and humane juvenile justice administration: the need to permit the exercise of discretionary power at all significant levels of processing so that those who make determinations can take the actions deemed to be most appropriate in each individual case; and the need to provide checks and balances in order to curb any abuses of discretionary power and to safeguard the rights of the young offender. Accountability and professionalism are instruments best apt to curb broad discretion. Thus, professional qualifications and expert training are emphasized here as a valuable means of ensuring the judicious exercise of discretion in matters of juvenile offenders. (See also rules 1.6 and 2.2.) The formulation of specific guidelines on the exercise of discretion and the provision of systems of review, appeal and the like in order to permit scrutiny of decisions and accountability are emphasized in this context. Such mechanisms are not specified here, as they do not easily lend themselves to incorporation into international standard minimum rules, which cannot possibly cover all differences in justice systems.

⁶¹ See *Human Rights: A Compilation of International Instruments* (United Nations publication, Sales No. E.83.XIV.1).

⁶⁸ See Economic and Social Council resolution 1985/42.

7. Rights of juveniles

- 7.1 Basic procedural safeguards such as the presumption of innocence, the right to be notified of the charges, the right to remain silent, the right to counsel, the right to the presence of a parent or guardian, the right to confront and cross-examine witnesses and the right to appeal to a higher authority shall be guaranteed at all stages of proceedings.

Commentary

Rule 7.1 emphasizes some important points that represent essential elements for a fair and just trial and that are internationally recognized in existing human rights instruments. (See also rule 14.) The presumption of innocence, for instance, is also to be found in article 11 of the Universal Declaration of Human Rights⁶¹ and in article 14, paragraph 2, of the International Covenant on Civil and Political Rights.⁶²

Rules 14 *seq.* of these Standard Minimum Rules specify issues that are important for proceedings in juvenile cases, in particular, while rule 7.1 affirms the most basic procedural safeguards in a general way.

8. Protection of privacy

- 8.1 The juvenile's right to privacy shall be respected at all stages in order to avoid harm being caused to her or him by undue publicity or by the process of labelling.
- 8.2 In principle, no information that may lead to the identification of a juvenile offender shall be published.

Commentary

Rule 8 stresses the importance of the protection of the juvenile's right to privacy. Young persons are particularly susceptible to stigmatization. Criminological research into labelling processes has provided evidence of the detrimental effects (of different kinds) resulting from the permanent identification of young persons as "delinquent" or "criminal".

Rule 8 also stresses the importance of protecting the juvenile from the adverse effects that may result from the publication in the mass media of information about the case (for example the names of young offenders, alleged or convicted). The interest of the individual should be protected and upheld, at least in principle. (The general contents of rule 8 are further specified in rule 21.)

9. Saving clause

- 9.1 Nothing in these Rules shall be interpreted as precluding the application of the Standard Minimum Rules for the Treatment of Prisoners⁶⁷ adopted by the United Nations and other human rights instruments and standards recognized by the international community that relate to the care and protection of the young.

Commentary

Rule 9 is meant to avoid any misunderstanding in interpreting and implementing the present Rules in conformity with principles contained in relevant existing or emerging international human rights instruments and standards — such as the Universal Declaration of Human Rights,⁶¹ the International Covenant on Economic, Social and Cultural Rights⁶² and the International Covenant on Civil and Political Rights,⁶³ and the Declaration of the Rights of the Child⁶⁴ and the draft convention on the rights of the child.⁶⁵ It should be understood that the application of the present Rules is without prejudice to any such international instruments which may contain provisions of wider application.⁶⁷ (See also rule 27.)

Part two. Investigation and prosecution

10. Initial contact

- 10.1 Upon the apprehension of a juvenile, her or his parents or guardian shall be immediately notified of such apprehension, and, where such immediate notification is not possible, the parents or guardian shall be notified within the shortest possible time thereafter.
- 10.2 A judge or other competent official or body shall, without delay, consider the issue of release.
- 10.3 Contacts between the law enforcement agencies and a juvenile offender shall be managed in such a way as to respect the legal status of the juvenile, promote the well-being of the juvenile and avoid harm to her or him, with due regard to the circumstances of the case.

Commentary

Rule 10.1 is in principle contained in rule 92 of the Standard Minimum Rules for the Treatment of Prisoners.⁶⁹

⁶⁹ The Standard Minimum Rules for the Treatment of Prisoners and related recommendations were adopted in 1955 (see *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva*,

The question of release (rule 10.2) shall be considered without delay by a judge or other competent official. The latter refers to any person or institution in the broadest sense of the term, including community boards or police authorities having power to release an arrested person. (See also the International Covenant on Civil and Political Rights, article 9, paragraph 3.)

Rule 10.3 deals with some fundamental aspects of the procedures and behaviour on the part of the police and other law enforcement officials in cases of juvenile crime. To "avoid harm" admittedly is flexible wording and covers many features of possible interaction (for example the use of harsh language, physical violence or exposure to the environment). Involvement in juvenile justice processes in itself can be "harmful" to juveniles; the term "avoid harm" should be broadly interpreted, therefore, as doing the least harm possible to the juvenile in the first instance, as well as any additional or undue harm. This is especially important in the initial contact with law enforcement agencies, which might profoundly influence the juvenile's attitude towards the State and society. Moreover, the success of any further intervention is largely dependent on such initial contacts. Compassion and kind firmness are important in these situations.

11. Diversion

- 11.1 Consideration shall be given, wherever appropriate, to dealing with juvenile offenders without resorting to formal trial by the competent authority, referred to in rule 14.1 below.
- 11.2 The police, the prosecution or other agencies dealing with juvenile cases shall be empowered to dispose of such cases, at their discretion, without recourse to formal hearings, in accordance with the criteria laid down for that purpose in the respective legal system and also in accordance with the principles contained in these Rules.
- 11.3 Any diversion involving referral to appropriate community or other services shall require the consent of the juvenile, or her or his parents or guardian, provided that such decision to refer a case shall be subject to review by a competent authority, upon application.
- 11.4 In order to facilitate the discretionary disposition of juvenile cases, efforts shall be made to provide for community programmes, such as temporary supervision and guidance, restitution, and compensation of victims.

Commentary

Diversion, involving removal from criminal justice processing and, frequently, redirection to community support services, is commonly practised on a formal and informal basis in many legal systems. This practice serves to hinder the negative effects of subsequent proceedings in juvenile justice administration (for example the stigma of conviction and sentence). In many cases, non-intervention would be the best response. Thus, diversion at the outset and without referral to alternative (social) services may be the optimal response. This is especially the case where the offence is of a non-serious nature and where the family, the school or other informal social control institutions have already reacted, or are likely to react, in an appropriate and constructive manner.

As stated in rule 11.2, diversion may be used at any point of decision-making — by the police, the prosecution or other agencies such as the courts, tribunals, boards or councils. It may be exercised by one authority or several or all authorities, according to the rules and policies of the respective systems and in line with the present Rules. It need not necessarily be limited to petty cases, thus rendering diversion an important instrument.

Rule 11.3 stresses the important requirement of securing the consent of the young offender (or the parent or guardian) to the recommended diversionary measure(s). (Diversion to community service without such consent would contradict the Abolition of Forced Labour Convention.⁷⁰) However, this consent should not be left unchallengeable, since it might sometimes be given out of sheer desperation on the part of the juvenile. The rule underlines that care should be taken to minimize the potential for coercion

and intimidation at all levels in the diversion process. Juveniles should not feel pressured (for example in order to avoid court appearance) or be pressured into consenting to diversion programmes. Thus, it is advocated that provision should be made for an objective appraisal of the appropriateness of dispositions involving young offenders by a "competent authority upon application". (The "competent authority" may be different from that referred to in rule 14.)

Rule 11.4 recommends the provision of viable alternatives to juvenile justice processing in the form of community-based diversion. Programmes that involve settlement by victim restitution and those that seek to avoid future conflict with the law through temporary supervision and guidance are especially commended. The merits of individual cases would make diversion appropriate, even when more serious offences have been committed (for example first offence, the act having been committed under peer pressure, etc.).

12. Specialization within the police

- 12.1 In order to best fulfil their functions, police officers who frequently or exclusively deal with juveniles or who are primarily engaged in the prevention of juvenile crime shall be specially instructed and trained. In large cities, special police units should be established for that purpose.

Commentary

Rule 12 draws attention to the need for specialized training for all law enforcement officials who are involved in the administration of juvenile justice. As police are the first point of contact with the juvenile justice system, it is most important that they act in an informed and appropriate manner.

While the relationship between urbanization and crime is clearly complex, an increase in juvenile crime has been associated with the growth of large cities, particularly with rapid and unplanned growth. Specialized police units would therefore be indispensable, not only in the interest of implementing specific principles contained in the present instrument (such as rule 1.6) but more generally for improving the prevention and control of juvenile crime and the handling of juvenile offenders.

13. Detention pending trial

- 13.1 Detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time.
- 13.2 Whenever possible, detention pending trial shall be replaced by alternative measures, such as close supervision, intensive care or placement with a family or in an educational setting or home.
- 13.3 Juveniles under detention pending trial shall be entitled to all rights and guarantees of the Standard Minimum Rules for the Treatment of Prisoners⁶⁷ adopted by the United Nations.
- 13.4 Juveniles under detention pending trial shall be kept separate from adults and shall be detained in a separate institution or in a separate part of an institution also holding adults.
- 13.5 While in custody, juveniles shall receive care, protection and all necessary individual assistance — social, educational, vocational, psychological, medical and physical — that they may require in view of their age, sex and personality.

Commentary

The danger to juveniles of "criminal contamination" while in detention pending trial must not be underestimated. It is therefore important to stress the need for alternative measures. By doing so, rule 13.1 encourages the devising of new and innovative measures to avoid such detention in the interest of the well-being of the juvenile.

Juveniles under detention pending trial are entitled to all the rights and guarantees of the Standard Minimum Rules for the Treatment of Prisoners as well as the International Covenant on Civil and Political Rights,⁷ especially article 9 and article 10, paragraphs 2 (b) and 3.

Rule 13.4 does not prevent States from taking other measures against the negative influences of adult offenders which are at least as effective as the measures mentioned in the rule.

Different forms of assistance that may become necessary have been enumerated to draw attention to the broad range of particular needs of young detainees to be addressed (for example females or males, drug addicts, alcoholics, mentally ill juveniles, young persons suffering from the trauma, for example, of arrest, etc.).

Varying physical and psychological characteristics of young detainees may warrant classification measures by which some are kept separate while

⁷⁰ Convention No. 105, adopted on 25 June 1957 by the General Conference of the International Labour Organisation at its fortieth session. With regard to the text of the Convention, see footnote 67.

22 August - 3 September 1955: report prepared by the Secretariat (United Nations publication, Sales No. 1956.IV.4). In its resolution 663 C (XXIV) of 31 July 1957, the Economic and Social Council approved the Standard Minimum Rules and endorsed, *inter alia*, the recommendations on the selection and training of personnel for penal and correctional institutions and on open penal and correctional institutions. The Council recommended that Governments should give favourable consideration to the adoption and application of the Standard Minimum Rules and should take the other two groups of recommendations as fully as possible into account in the administration of penal and correctional institutions. The inclusion of a new rule, rule 95, was authorized by the Economic and Social Council in its resolution 2076 (LXII) of 13 May 1977. The complete text of the Standard Minimum Rules for the Treatment of Prisoners is contained in *Human Rights: A Compilation of International Instruments*.

in detention pending trial, thus contributing to the avoidance of victimization and rendering more appropriate assistance.

The Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in its resolution 4⁶³ on juvenile justice standards, specified that the Rules, *inter alia*, should reflect the basic principle that pre-trial detention should be used only as a last resort, that no minors should be held in a facility where they are vulnerable to the negative influences of adult detainees and that account should always be taken of the needs particular to their stage of development.

Part three. Adjudication and disposition

14. Competent authority to adjudicate

- 14.1 Where the case of a juvenile offender has not been diverted (under rule 11), she or he shall be dealt with by the competent authority (court, tribunal, board, council, etc.) according to the principles of a fair and just trial.
- 14.2 The proceedings shall be conducive to the best interests of the juvenile and shall be conducted in an atmosphere of understanding, which shall allow the juvenile to participate therein and to express herself or himself freely.

Commentary

It is difficult to formulate a definition of the competent body or person that would universally describe an adjudicating authority. "Competent authority" is meant to include those who preside over courts or tribunals (composed of a single judge or of several members), including professional and lay magistrates as well as administrative boards (for example the Scottish and Scandinavian systems) or other more informal community and conflict resolution agencies of an adjudicatory nature.

The procedure for dealing with juvenile offenders shall in any case follow the minimum standards that are applied almost universally for any criminal defendant under the procedure known as "due process of law". In accordance with due process, a "fair and just trial" includes such basic safeguards as the presumption of innocence, the presentation and examination of witnesses, the common legal defences, the right to remain silent, the right to have the last word in a hearing, the right to appeal, etc. (See also rule 7.1.)

15. Legal counsel, parents and guardians

- 15.1 Throughout the proceedings the juvenile shall have the right to be represented by a legal adviser or to apply for free legal aid where there is provision for such aid in the country.
- 15.2 The parents or the guardian shall be entitled to participate in the proceedings and may be required by the competent authority to attend them in the interest of the juvenile. They may, however, be denied participation by the competent authority if there are reasons to assume that such exclusion is necessary in the interest of the juvenile.

Commentary

Rule 15.1 uses terminology similar to that found in rule 93 of the Standard Minimum Rules for the Treatment of Prisoners.⁶⁷ Whereas legal counsel and free legal aid are needed to assure the juvenile legal assistance, the right of the parents or guardian to participate as stated in rule 15.2 should be viewed as general psychological and emotional assistance to the juvenile — a function extending throughout the procedure.

The competent authority's search for an adequate disposition of the case may profit, in particular, from the co-operation of the legal representatives of the juvenile (or, for that matter, some other personal assistant who the juvenile can and does really trust). Such concern can be thwarted if the presence of parents or guardians at the hearings plays a negative role, for instance, if they display a hostile attitude towards the juvenile; hence, the possibility of their exclusion must be provided for.

16. Social inquiry reports

- 16.1 In all cases except those involving minor offences, before the competent authority renders a final disposition prior to sentencing, the background and circumstances in which the juvenile is living or the conditions under which the offence has been committed shall be properly investigated so as to facilitate judicious adjudication of the case by the competent authority.

Commentary

Social inquiry reports (social reports or pre-sentence reports) are an indispensable aid in most legal proceedings involving juveniles. The competent authority should be informed of relevant facts about the juvenile, such as social and family background, school career, educational experiences, etc. For this purpose, some jurisdictions use special social services

or personnel attached to the court or board. Other personnel, including probation officers, may serve the same function. The rule therefore requires that adequate social services should be available to deliver social inquiry reports of a qualified nature.

17. Guiding principles in adjudication and disposition

- 17.1 The disposition of the competent authority shall be guided by the following principles:
- The reaction taken shall always be in proportion not only to the circumstances and the gravity of the offence but also to the circumstances and the needs of the juvenile as well as to the needs of the society;
 - Restrictions on the personal liberty of the juvenile shall be imposed only after careful consideration and shall be limited to the possible minimum;
 - Deprivation of personal liberty shall not be imposed unless the juvenile is adjudicated of a serious act involving violence against another person or of persistence in committing other serious offences and unless there is no other appropriate response;
 - The well-being of the juvenile shall be the guiding factor in the consideration of her or his case.
- 17.2 Capital punishment shall not be imposed for any crime committed by juveniles.
- 17.3 Juveniles shall not be subject to corporal punishment.
- 17.4 The competent authority shall have the power to discontinue the proceedings at any time.

Commentary

The main difficulty in formulating guidelines for the adjudication of young persons stems from the fact that there are unresolved conflicts of a philosophical nature, such as the following:

- Rehabilitation versus just desert;
- Assistance versus repression and punishment;
- Reaction according to the singular merits of an individual case versus reaction according to the protection of society in general;
- General deterrence versus individual incapacitation.

The conflict between these approaches is more pronounced in juvenile cases than in adult cases. With the variety of causes and reactions characterizing juvenile cases, these alternatives become intricately interwoven.

It is not the function of the Standard Minimum Rules for the Administration of Juvenile Justice to prescribe which approach is to be followed but rather to identify one that is most closely in consonance with internationally accepted principles. Therefore the essential elements as laid down in rule 17.1, in particular in subparagraphs (a) and (c), are mainly to be understood as practical guidelines that should ensure a common starting point; if heeded by the concerned authorities (see also rule 5), they could contribute considerably to ensuring that the fundamental rights of juvenile offenders are protected, especially the fundamental rights of personal development and education.

Rule 17.1 (b) implies that strictly punitive approaches are not appropriate. Whereas in adult cases, and possibly also in cases of severe offences by juveniles, just desert and retributive sanctions might be considered to have some merit, in juvenile cases such considerations should always be outweighed by the interest of safeguarding the well-being and the future of the young person.

In line with resolution 8 of the Sixth United Nations Congress,⁶³ rule 17.1 (b) encourages the use of alternatives to institutionalization to the maximum extent possible, bearing in mind the need to respond to the specific requirements of the young. Thus, full use should be made of the range of existing alternative sanctions and new alternative sanctions should be developed, bearing the public safety in mind. Probation should be granted to the greatest possible extent via suspended sentences, conditional sentences, board orders and other dispositions.

Rule 17.1 (c) corresponds to one of the guiding principles in resolution 4 of the Sixth Congress⁶³ which aims at avoiding incarceration in the case of juveniles unless there is no other appropriate response that will protect the public safety.

The provision prohibiting capital punishment in rule 17.2 is in accordance with article 6, paragraph 5, of the International Covenant on Civil and Political Rights.⁷

The provision against corporal punishment is in line with article 7 of the International Covenant on Civil and Political Rights⁷ and the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁷¹ as well

⁷¹ Resolution 3452 (XXX), annex.

as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment⁷² and the draft convention on the rights of the child.⁶⁸

The power to discontinue the proceedings at any time (rule 17.4) is a characteristic inherent in the handling of juvenile offenders as opposed to adults. At any time, circumstances may become known to the competent authority which would make a complete cessation of the intervention appear to be the best disposition of the case.

18. Various disposition measures

18.1 A large variety of disposition measures shall be made available to the competent authority, allowing for flexibility so as to avoid institutionalization to the greatest extent possible. Such measures, some of which may be combined, include:

- (a) Care, guidance and supervision orders;
- (b) Probation;
- (c) Community service orders;
- (d) Financial penalties, compensation and restitution;
- (e) Intermediate treatment and other treatment orders;
- (f) Orders to participate in group counselling and similar activities;
- (g) Orders concerning foster care, living communities or other educational settings;
- (h) Other relevant orders.

18.2 No juvenile shall be removed from parental supervision, whether partly or entirely, unless the circumstances of her or his case make this necessary.

Commentary

Rule 18.1 attempts to enumerate some of the important reactions and sanctions that have been practised and proved successful thus far, in different legal systems. On the whole they represent promising options that deserve replication and further development. The rule does not enumerate staffing requirements because of possible shortages of adequate staff in some regions; in those regions measures requiring less staff may be tried or developed.

The examples given in rule 18.1 have in common, above all, a reliance on and an appeal to the community for the effective implementation of alternative dispositions. Community-based correction is a traditional measure that has taken on many aspects. On that basis, relevant authorities should be encouraged to offer community-based services.

Rule 18.2 points to the importance of the family which, according to article 10, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, is "the natural and fundamental group unit of society".⁷ Within the family, the parents have not only the right but also the responsibility to care for and supervise their children. Rule 18.2, therefore, requires that the separation of children from their parents is a measure of last resort. It may be resorted to only when the facts of the case clearly warrant this grave step (for example child abuse).

19. Least possible use of institutionalization

19.1 The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period.

Commentary

Progressive criminology advocates the use of non-institutional over institutional treatment. Little or no difference has been found in terms of the success of institutionalization as compared to non-institutionalization. The many adverse influences on an individual that seem unavoidable within any institutional setting evidently cannot be outbalanced by treatment efforts. This is especially the case for juveniles, who are vulnerable to negative influences. Moreover, the negative effects, not only of loss of liberty but also of separation from the usual social environment, are certainly more acute for juveniles than for adults because of their early stage of development.

Rule 19 aims at restricting institutionalization in two regards: in quantity ("last resort") and in time ("minimum necessary period"). Rule 19 reflects one of the basic guiding principles of resolution 4 of the Sixth United Nations Congress:⁶³ a juvenile offender should not be incarcerated unless there is no other appropriate response. The rule, therefore, makes the appeal that if a juvenile must be institutionalized, the loss of liberty should be restricted to the least possible degree, with special institutional arrangements for confinement and bearing in mind the differences in kinds of offenders, offences and institutions. In fact, priority should be given to "open" over "closed" institutions. Furthermore, any facility should be of a correctional or educational rather than of a prison type.

⁷² Resolution 39/46, annex.

20. Avoidance of unnecessary delay

20.1 Each case shall from the outset be handled expeditiously, without any unnecessary delay.

Commentary

The speedy conduct of formal procedures in juvenile cases is a paramount concern. Otherwise whatever good may be achieved by the procedure and the disposition is at risk. As time passes, the juvenile will find it increasingly difficult, if not impossible, to relate the procedure and disposition to the offence, both intellectually and psychologically.

21. Records

21.1 Records of juvenile offenders shall be kept strictly confidential and closed to third parties. Access to such records shall be limited to persons directly concerned with the disposition of the case at hand or other duly authorized persons.

21.2 Records of juvenile offenders shall not be used in adult proceedings in subsequent cases involving the same offender.

Commentary

The rule attempts to achieve a balance between conflicting interests connected with records or files: those of the police, prosecution and other authorities in improving control versus the interests of the juvenile offender. (See also rule 8.) "Other duly authorized persons" would generally include, among others, researchers.

22. Need for professionalism and training

22.1 Professional education, in-service training, refresher courses and other appropriate modes of instruction shall be utilized to establish and maintain the necessary professional competence of all personnel dealing with juvenile cases.

22.2 Juvenile justice personnel shall reflect the diversity of juveniles who come into contact with the juvenile justice system. Efforts shall be made to ensure the fair representation of women and minorities in juvenile justice agencies.

Commentary

The authorities competent for disposition may be persons with very different backgrounds (magistrates in the United Kingdom of Great Britain and Northern Ireland and in regions influenced by the common law system; legally trained judges in countries using Roman law and in regions influenced by them; and elsewhere elected or appointed laymen or jurists, members of community-based boards etc.). For all these authorities, a minimum training in law, sociology, psychology, criminology and behavioural sciences would be required. This is considered as important as the organizational specialization and independence of the competent authority.

For social workers and probation officers, it might not be feasible to require professional specialization as a prerequisite for taking over any function dealing with juvenile offenders. Thus, professional on-the-job instruction would be minimum qualifications.

Professional qualifications are an essential element in ensuring the impartial and effective administration of juvenile justice. Accordingly, it is necessary to improve the recruitment, advancement and professional training of personnel and to provide them with the necessary means to enable them to properly fulfil their functions.

All political, social, sexual, racial, religious, cultural or any other kind of discrimination in the selection, appointment and advancement of juvenile justice personnel should be avoided in order to achieve impartiality in the administration of juvenile justice. This was recommended by the Sixth Congress. Furthermore, the Sixth Congress called on Member States to ensure the fair and equal treatment of women as criminal justice personnel and recommended that special measures should be taken to recruit, train and facilitate the advancement of female personnel in juvenile justice administration.⁶³

Part four. Non-institutional treatment

23. Effective implementation of disposition

23.1 Appropriate provisions shall be made for the implementation of orders of the competent authority, as referred to in rule 14.1 above, by that authority itself or by some other authority as circumstances may require.

23.2 Such provisions shall include the power to modify the orders as the competent authority may deem necessary from time to time, provided that such modification shall be determined in accordance with the principles contained in these Rules.

Commentary

Disposition in juvenile cases, more so than in adult cases, tends to influence the offender's life for a long period of time. Thus, it is important that the competent authority or an independent body (parole board, probation office, youth welfare institutions or others) with qualifications equal to those of the competent authority that originally disposed of the case should monitor the implementation of the disposition. In some countries, a *juge de l'exécution des peines* has been installed for this purpose.

The composition, powers and functions of the authority must be flexible; they are described in general terms in rule 23 in order to ensure wide acceptability.

24. *Provision of needed assistance*

- 24.1 Efforts shall be made to provide juveniles, at all stages of the proceedings, with necessary assistance such as lodging, education or vocational training, employment or any other assistance, helpful and practical, in order to facilitate the rehabilitative process.

Commentary

The promotion of the well-being of the juvenile is of paramount consideration. Thus, rule 24 emphasizes the importance of providing requisite facilities, services and other necessary assistance as may further the best interests of the juvenile throughout the rehabilitative process.

25. *Mobilization of volunteers and other community services*

- 25.1 Volunteers, voluntary organizations, local institutions and other community resources shall be called upon to contribute effectively to the rehabilitation of the juvenile in a community setting and, as far as possible, within the family unit.

Commentary

This rule reflects the need for a rehabilitative orientation of all work with juvenile offenders. Co-operation with the community is indispensable if the directives of the competent authority are to be carried out effectively. Volunteers and voluntary services, in particular, have proved to be valuable resources but are at present underutilized. In some instances, the co-operation of ex-offenders (including ex-addicts) can be of considerable assistance.

Rule 25 emanates from the principles laid down in rules 1.1 to 1.6 and follows the relevant provisions of the International Covenant on Civil and Political Rights.⁷

Part five. Institutional treatment26. *Objectives of institutional treatment:*

- 26.1 The objective of training and treatment of juveniles placed in institutions is to provide care, protection, education and vocational skills, with a view to assisting them to assume socially constructive and productive roles in society.
- 26.2 Juveniles in institutions shall receive care, protection and all necessary assistance — social, educational, vocational, psychological, medical and physical — that they may require because of their age, sex and personality and in the interest of their wholesome development.
- 26.3 Juveniles in institutions shall be kept separate from adults and shall be detained in a separate institution or in a separate part of an institution also holding adults.
- 26.4 Young female offenders placed in an institution deserve special attention as to their personal needs and problems. They shall by no means receive less care, protection, assistance, treatment and training than young male offenders. Their fair treatment shall be ensured.
- 26.5 In the interest and well-being of the institutionalized juvenile, the parents or guardians shall have a right of access.
- 26.6 Inter-ministerial and inter-departmental co-operation shall be fostered for the purpose of providing adequate academic or, as appropriate, vocational training to institutionalized juveniles, with a view to ensuring that they do not leave the institution at an educational disadvantage.

Commentary

The objectives of institutional treatment as stipulated in rules 26.1 and 26.2 would be acceptable to any system and culture. However, they have not yet been attained everywhere, and much more has to be done in this respect.

Medical and psychological assistance, in particular, are extremely important for institutionalized drug addicts, violent and mentally ill young persons.

The avoidance of negative influences through adult offenders and the safeguarding of the well-being of juveniles in an institutional setting, as stipulated in rule 26.3, are in line with one of the basic guiding principles of the Rules, as set out by the Sixth Congress in its resolution 4.⁶³ The rule does not prevent States from taking other measures against the negative influences of adult offenders, which are at least as effective as the measures mentioned in the rule. (See also rule 13.4.)

Rule 26.4 addresses the fact that female offenders normally receive less attention than their male counterparts, as pointed out by the Sixth Congress. In particular, resolution 9 of the Sixth Congress⁶³ calls for the fair treatment of female offenders at every stage of criminal justice processes and for special attention to their particular problems and needs while in custody. Moreover, this rule should also be considered in the light of the Caracas Declaration of the Sixth Congress, which, *inter alia*, calls for equal treatment in criminal justice administration,⁷³ and against the background of the Declaration on the Elimination of Discrimination against Women⁷⁴ and the Convention on the Elimination of All Forms of Discrimination against Women.⁷⁵

The right of access (rule 26.5) follows from the provisions of rules 7.1, 10.1, 15.2 and 18.2. Inter-ministerial and inter-departmental co-operation (rule 26.6) are of particular importance in the interest of generally enhancing the quality of institutional treatment and training.

27. *Application of the Standard Minimum Rules for the Treatment of Prisoners adopted by the United Nations*

- 27.1 The Standard Minimum Rules for the Treatment of Prisoners and related recommendations shall be applicable as far as relevant to the treatment of juvenile offenders in institutions, including those in detention pending adjudication.
- 27.2 Efforts shall be made to implement the relevant principles laid down in the Standard Minimum Rules for the Treatment of Prisoners to the largest possible extent so as to meet the varying needs of juveniles specific to their age, sex and personality.

Commentary

The Standard Minimum Rules for the Treatment of Prisoners were among the first instruments of this kind to be promulgated by the United Nations. It is generally agreed that they have had a world-wide impact. Although there are still countries where implementation is more an aspiration than a fact, those Standard Minimum Rules continue to be an important influence in the humane and equitable administration of correctional institutions.

Some essential protections covering juvenile offenders in institutions are contained in the Standard Minimum Rules for the Treatment of Prisoners (accommodation, architecture, bedding, clothing, complaints and requests, contact with the outside world, food, medical care, religious service, separation of ages, staffing, work, etc.) as are provisions concerning punishment and discipline, and restraint for dangerous offenders. It would not be appropriate to modify those Standard Minimum Rules according to the particular characteristics of institutions for juvenile offenders within the scope of the Standard Minimum Rules for the Administration of Juvenile Justice.

Rule 27 focuses on the necessary requirements for juveniles in institutions (rule 27.1) as well as on the varying needs specific to their age, sex and personality (rule 27.2). Thus, the objectives and content of the rule interrelate to the relevant provisions of the Standard Minimum Rules for the Treatment of Prisoners.

28. *Frequent and early recourse to conditional release*

- 28.1 Conditional release from an institution shall be used by the appropriate authority to the greatest possible extent, and shall be granted at the earliest possible time.
- 28.2 Juveniles released conditionally from an institution shall be assisted and supervised by an appropriate authority and shall receive full support by the community.

Commentary

The power to order conditional release may rest with the competent authority, as mentioned in rule 14.1, or with some other authority. In view of this, it is adequate to refer here to the "appropriate" rather than to the "competent" authority.

Circumstances permitting, conditional release shall be preferred to serving a full sentence. Upon evidence of satisfactory progress towards rehab-

⁷³ See resolution 35/171, annex, para. 1.6.

⁷⁴ Resolution 2263 (XXII).

⁷⁵ Resolution 34/180, annex.

itation, even offenders who had been deemed dangerous at the time of their institutionalization can be conditionally released whenever feasible. Like probation, such release may be conditional on the satisfactory fulfilment of the requirements specified by the relevant authorities for a period of time established in the decision, for example relating to "good behaviour" of the offender, attendance in community programmes, residence in half-way houses, etc.

In the case of offenders conditionally released from an institution, assistance and supervision by a probation or other officer (particularly where probation has not yet been adopted) should be provided and community support should be encouraged.

29. *Semi-institutional arrangements*

- 29.1 Efforts shall be made to provide semi-institutional arrangements, such as half-way houses, educational homes, day-time training centres and other such appropriate arrangements that may assist juveniles in their proper reintegration into society.

Commentary

The importance of care following a period of institutionalization should not be underestimated. This rule emphasizes the necessity of forming a net of semi-institutional arrangements.

This rule also emphasizes the need for a diverse range of facilities and services designed to meet the different needs of young offenders re-entering the community and to provide guidance and structural support as an important step towards successful reintegration into society.

Part six. *Research, planning, policy formulation and evaluation*

30. *Research as a basis for planning, policy formulation and evaluation*

- 30.1 Efforts shall be made to organize and promote necessary research as a basis for effective planning and policy formulation.
- 30.2 Efforts shall be made to review and appraise periodically the trends, problems and causes of juvenile delinquency and crime as well as the varying particular needs of juveniles in custody.
- 30.3 Efforts shall be made to establish a regular evaluative research mechanism built into the system of juvenile justice administration and to collect and analyse relevant data and information for appropriate assessment and future improvement and reform of the administration.
- 30.4 The delivery of services in juvenile justice administration shall be systematically planned and implemented as an integral part of national development efforts.

Commentary

The utilization of research as a basis for an informed juvenile justice policy is widely acknowledged as an important mechanism for keeping practices abreast of advances in knowledge and the continuing development and improvement of the juvenile justice system. The mutual feedback between research and policy is especially important in juvenile justice. With rapid and often drastic changes in the life-styles of the young and in the forms and dimensions of juvenile crime, the societal and justice responses to juvenile crime and delinquency quickly become outmoded and inadequate.

Rule 30 thus establishes standards for integrating research into the process of policy formulation and application in juvenile justice administration. The rule draws particular attention to the need for regular review and evaluation of existing programmes and measures and for planning within the broader context of overall development objectives.

A constant appraisal of the needs of juveniles, as well as the trends and problems of delinquency, is a prerequisite for improving the methods of formulating appropriate policies and establishing adequate interventions, at both formal and informal levels. In this context, research by independent persons and bodies should be facilitated by responsible agencies, and it may be valuable to obtain and to take into account the views of juveniles themselves, not only those who come into contact with the system.

The process of planning must particularly emphasize a more effective and equitable system for the delivery of necessary services. Towards that end, there should be a comprehensive and regular assessment of the wide-ranging, particular needs and problems of juveniles and an identification of clear-cut priorities. In that connection, there should also be a co-ordination in the use of existing resources, including alternatives and community support that would be suitable in setting up specific procedures designed to implement and monitor established programmes.

40/34. **Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power**

The General Assembly,

Recalling that the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders recommended that the United Nations should continue its present work on the development of guidelines and standards regarding abuse of economic and political power,⁵⁶

Cognizant that millions of people throughout the world suffer harm as a result of crime and the abuse of power and that the rights of these victims have not been adequately recognized,

Recognizing that the victims of crime and the victims of abuse of power, and also frequently their families, witnesses and others who aid them, are unjustly subjected to loss, damage or injury and that they may, in addition, suffer hardship when assisting in the prosecution of offenders,

1. *Affirms* the necessity of adopting national and international measures in order to secure the universal and effective recognition of, and respect for, the rights of victims of crime and of abuse of power;

2. *Stresses* the need to promote progress by all States in their efforts to that end, without prejudice to the rights of suspects or offenders;

3. *Adopts* the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, annexed to the present resolution, which is designed to assist Governments and the international community in their efforts to secure justice and assistance for victims of crime and victims of abuse of power;

4. *Calls upon* Member States to take the necessary steps to give effect to the provisions contained in the Declaration and, in order to curtail victimization as referred to hereinafter, endeavour:

(a) To implement social, health, including mental health, educational, economic and specific crime prevention policies to reduce victimization and encourage assistance to victims in distress;

(b) To promote community efforts and public participation in crime prevention;

(c) To review periodically their existing legislation and practices in order to ensure responsiveness to changing circumstances, and to enact and enforce legislation proscribing acts that violate internationally recognized norms relating to human rights, corporate conduct and other abuses of power;

(d) To establish and strengthen the means of detecting, prosecuting and sentencing those guilty of crimes;

(e) To promote disclosure of relevant information to expose official and corporate conduct to public scrutiny, and other ways of increasing responsiveness to public concerns;

(f) To promote the observance of codes of conduct and ethical norms, in particular international standards, by public servants, including law enforcement, correctional, medical, social service and military personnel, as well as the staff of economic enterprises;

(g) To prohibit practices and procedures conducive to abuse, such as secret places of detention and incommunicado detention;

(h) To co-operate with other States, through mutual judicial and administrative assistance, in such matters as the detection and pursuit of offenders, their extradition and the seizure of their assets, to be used for restitution to the victims;

5. *Recommends* that, at the international and regional levels, all appropriate measures should be taken:

(a) To promote training activities designed to foster adherence to United Nations standards and norms and to curtail possible abuses;

(b) To sponsor collaborative action-research on ways in which victimization can be reduced and victims aided, and to promote information exchanges on the most effective means of so doing;

(c) To render direct aid to requesting Governments designed to help them curtail victimization and alleviate the plight of victims;

(d) To develop ways and means of providing recourse for victims where national channels may be insufficient;

6. *Requests* the Secretary-General to invite Member States to report periodically to the General Assembly on the implementation of the Declaration, as well as on measures taken by them to this effect;

7. *Also requests* the Secretary-General to make use of the opportunities, which all relevant bodies and organizations within the United Nations system offer, to assist Member States, whenever necessary, in improving ways and means of protecting victims both at the national level and through international co-operation;

8. *Further requests* the Secretary-General to promote the objectives of the Declaration, in particular by ensuring its widest possible dissemination;

9. *Urges* the specialized agencies and other entities and bodies of the United Nations system, other relevant inter-governmental and non-governmental organizations and the public to co-operate in the implementation of the provisions of the Declaration.

*96th plenary meeting
29 November 1985*

ANNEX

Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power

A. *Victims of crime*

1. "Victims" means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.

2. A person may be considered a victim, under this Declaration, regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between the perpetrator and the victim. The term "victim" also includes, where appropriate, the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization.

3. The provisions contained herein shall be applicable to all, without distinction of any kind, such as race, colour, sex, age, language, religion, nationality, political or other opinion, cultural beliefs or practices, property, birth or family status, ethnic or social origin, and disability.

Access to justice and fair treatment

4. Victims should be treated with compassion and respect for their dignity. They are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered.

5. Judicial and administrative mechanisms should be established and strengthened where necessary to enable victims to obtain redress through formal or informal procedures that are expeditious, fair, inexpensive and accessible. Victims should be informed of their rights in seeking redress through such mechanisms.

6. The responsiveness of judicial and administrative processes to the needs of victims should be facilitated by:

(a) Informing victims of their role and the scope, timing and progress of the proceedings and of the disposition of their cases, especially where

serious crimes are involved and where they have requested such information;

(b) Allowing the views and concerns of victims to be presented and considered at appropriate stages of the proceedings where their personal interests are affected, without prejudice to the accused and consistent with the relevant national criminal justice system;

(c) Providing proper assistance to victims throughout the legal process;

(d) Taking measures to minimize inconvenience to victims, protect their privacy, when necessary, and ensure their safety, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;

(e) Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting awards to victims.

7. Informal mechanisms for the resolution of disputes, including mediation, arbitration and customary justice or indigenous practices, should be utilized where appropriate to facilitate conciliation and redress for victims.

Restitution

8. Offenders or third parties responsible for their behaviour should, where appropriate, make fair restitution to victims, their families or dependants. Such restitution should include the return of property or payment for the harm or loss suffered, reimbursement of expenses incurred as a result of the victimization, the provision of services and the restoration of rights.

9. Governments should review their practices, regulations and laws to consider restitution as an available sentencing option in criminal cases, in addition to other criminal sanctions.

10. In cases of substantial harm to the environment, restitution, if ordered, should include, as far as possible, restoration of the environment, reconstruction of the infrastructure, replacement of community facilities and reimbursement of the expenses of relocation, whenever such harm results in the dislocation of a community.

11. Where public officials or other agents acting in an official or quasi-official capacity have violated national criminal laws, the victims should receive restitution from the State whose officials or agents were responsible for the harm inflicted. In cases where the Government under whose authority the victimizing act or omission occurred is no longer in existence, the State or Government successor in title should provide restitution to the victims.

Compensation

12. When compensation is not fully available from the offender or other sources, States should endeavour to provide financial compensation to:

(a) Victims who have sustained significant bodily injury or impairment of physical or mental health as a result of serious crimes;

(b) The family, in particular dependants of persons who have died or become physically or mentally incapacitated as a result of such victimization.

13. The establishment, strengthening and expansion of national funds for compensation to victims should be encouraged. Where appropriate, other funds may also be established for this purpose, including in those cases where the State of which the victim is a national is not in a position to compensate the victim for the harm.

Assistance

14. Victims should receive the necessary material, medical, psychological and social assistance through governmental, voluntary, community-based and indigenous means.

15. Victims should be informed of the availability of health and social services and other relevant assistance and be readily afforded access to them.

16. Police, justice, health, social service and other personnel concerned should receive training to sensitize them to the needs of victims, and guidelines to ensure proper and prompt aid.

17. In providing services and assistance to victims, attention should be given to those who have special needs because of the nature of the harm inflicted or because of factors such as those mentioned in paragraph 3 above.

B. *Victims of abuse of power*

18. "Victims" means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that do not yet constitute violations of national criminal laws but of internationally recognized norms relating to human rights.

19. States should consider incorporating into the national law norms proscribing abuses of power and providing remedies to victims of such abuses. In particular, such remedies should include restitution and/or compensation, and necessary material, medical, psychological and social assistance and support.

20. States should consider negotiating multilateral international treaties relating to victims, as defined in paragraph 18.

21. States should periodically review existing legislation and practices to ensure their responsiveness to changing circumstances, should enact and enforce, if necessary, legislation proscribing acts that constitute serious abuses of political or economic power, as well as promoting policies and mechanisms for the prevention of such acts, and should develop and make readily available appropriate rights and remedies for victims of such acts.

40/35. Development of standards for the prevention of juvenile delinquency

The General Assembly,

Recalling resolution 4 adopted by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Caracas from 25 August to 5 September 1980,⁶³ in which the Congress called for the elaboration of a set of standard minimum rules for the administration of juvenile justice and for the care of juveniles,

Noting that the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)⁶⁴ recommended by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Milan, Italy, from 26 August to 6 September 1985, are limited to the administration of juvenile justice and the assurance of legal guarantees in respect of young persons in conflict with the law,

Mindful of the need to develop national, regional and international strategies for the prevention of delinquency among the young,

Recognizing that the prevention of juvenile delinquency includes measures for the protection of juveniles who are abandoned, neglected, abused and in marginal circumstances and, in general, those who are at social risk,

Recognizing further the existence of a large number of young persons who are not in conflict with the law but who are at social risk,

Acknowledging that one of the basic aims of the prevention of juvenile delinquency is the provision of requisite assistance and a range of opportunities to meet the varying needs of the young, especially those who are most likely to commit crime or to be exposed to crime, and to serve as a supportive framework to safeguard their proper development,

1. Takes note with appreciation of the work undertaken by the United Nations regional institutes for the prevention of crime and the treatment of offenders and the regional commissions in the field of crime prevention;

2. Also takes note with appreciation of the working paper prepared by the Secretariat on youth, crime and justice;⁷⁷

3. Endorses the recommendations contained in the report of the Interregional Preparatory Meeting for the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Beijing from 14 to 18 May 1984;⁷⁸

4. Requests the Secretary-General and Member States to take the necessary steps to establish joint programmes in the field of juvenile justice and the prevention of juvenile delinquency with the United Nations Social Defence

Research Institute, the United Nations regional institutes for the prevention of crime and the treatment of offenders, the Arab Security Studies and Training Centre at Riyadh and other national and regional institutes, and with the assistance of regional commissions and national correspondents, which would include the following activities:

(a) To study the situation of juveniles at social risk and to examine the relevant policies and practices of prevention within the context of socio-economic development;

(b) To intensify efforts in training, research and advisory services for the prevention of juvenile delinquency;

5. Invites Member States to adopt distinct measures and systems appropriate to the interest of juveniles at social risk;

6. Calls upon the Economic and Social Council to request the Committee on Crime Prevention and Control, with the assistance of the United Nations institutes for the prevention of crime and the treatment of offenders, the regional commissions and the specialized agencies, to develop standards for the prevention of juvenile delinquency which would assist Member States in formulating and implementing specialized programmes and policies, emphasizing assistance and care and the active involvement of the community, and to report to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the progress achieved in the development of the proposed standards, for review and final action;

7. Requests that the prevention of delinquency among the young should be considered regularly by the Committee on Crime Prevention and Control and that it should be considered by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, under a separate agenda item;

8. Urges all relevant bodies within the United Nations system to collaborate with the Secretary-General in taking appropriate measures to ensure the implementation of the present resolution.

*96th plenary meeting
29 November 1985*

40/36. Domestic violence

The General Assembly,

Recalling Economic and Social Council resolution 1984/14 of 24 May 1984 on violence in the family,

Recalling also resolution 9 adopted by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which the Congress called for the fair treatment of women by the criminal justice system,⁶³

Bearing in mind the recommendations made on the subject of domestic violence by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace,⁷⁹

Having regard to the Declaration on the Rights of the Child,⁶² in particular principle 9 concerning the protection of the child against exploitation, neglect and cruelty, and the Convention on the Elimination of All Forms of Discrimination against Women,⁷⁵

Mindful of the important role of the family in ensuring the proper development of the young and their integration

⁶⁶ Resolution 40/33, annex.

⁷⁷ A/CONF.121/7.

⁷⁸ A/CONF.121/IPM/1, sect. II.

⁷⁹ See Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

into the mainstream of society, and in preventing delinquency,

Mindful further of the social aspects of domestic violence and of the great importance of emphasizing and developing appropriate methods of conflict resolution between the parties involved,

Recognizing that abuse and battery in the family are critical problems that have serious physical and psychological effects on individual family members, especially the young, and jeopardize the health and survival of the family unit,

Recognizing further the adverse effects of exposure to domestic violence, especially at an early stage of human development, and the incalculable harm thereof,

Convinced that the problem of domestic violence is a multifaceted one which should be examined from the perspective of crime prevention and criminal justice in the context of socio-economic circumstances,

Convinced also of the necessity to improve the situation of the victims of domestic violence,

Concerned that the abuse of alcohol, narcotic drugs and psychotropic substances may be an exacerbating factor in domestic violence and that the effects thereof should be further examined,

1. *Takes note with appreciation* of the report of the Secretary-General on the situation of women as victims of crime;⁸⁰

2. *Invites* Member States concerned to take specific action urgently in order to prevent domestic violence and to render the appropriate assistance to the victims thereof;

3. *Requests* the Secretary-General to intensify research on domestic violence from a criminological perspective to formulate distinct action-oriented strategies that could serve as a basis for policy formulation and to report thereon to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

4. *Requests* the Economic and Social Council to invite the Committee on Crime Prevention and Control to examine the problem of domestic violence;

5. *Urges* all relevant United Nations bodies, agencies and institutes to collaborate with the Secretary-General in ensuring a concerted and sustained effort to combat this problem;

6. *Invites* the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider the problem of domestic violence under a separate agenda item dealing with domestic violence;

7. *Invites* Member States to adopt specific measures with a view to making the criminal and civil justice system more sensitive in its response to domestic violence, including the following:

(a) To introduce, if not already in existence, civil and criminal legislation in order to deal with particular problems of domestic violence, and to enact and enforce such laws in order to protect battered family members and punish the offender and to offer alternative ways of treatment for offenders, according to the type of violence;

(b) To respect, in all instances of the criminal proceeding, starting with the police investigation, the special and sometimes delicate position of the victim, in particular in the manner in which the victim is treated;

(c) To initiate preventive measures, such as providing support and counselling to families, in order to improve their ability to create a non-violent environment, emphasizing principles of education, equality of rights and equal-

ity of responsibilities between women and men, their partnership and the peaceful resolution of conflicts;

(d) To inform the public, as necessary, through all available channels, about serious acts of violence perpetrated against children, in order to create public awareness of this problem;

(e) To deliver appropriate, specialized assistance to victims of domestic violence, as an integral part of social policy;

(f) To provide, as a temporary solution, shelters and other facilities and services for the safety of victims of domestic violence;

(g) To provide specialized training and units for those who deal in some capacity with victims of domestic violence;

(h) To initiate or intensify research and collect data on the background, extent and types of domestic violence;

(i) To make legal remedies to domestic violence more accessible and, in view of the criminogenic effects of the phenomenon, in particular on young victims, to give due consideration to the interests of society by maintaining a balance between intervention and the protection of privacy;

(j) To ensure that social welfare and health administration systems are engaged more intensely in providing assistance to victims of familial violence and abuses, and to make all efforts to co-ordinate social welfare and criminal justice measures.

*96th plenary meeting
29 November 1985*

40/37. Expression of appreciation to the Government and people of Italy on the occasion of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Taking into account the significance and the results of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Milan, Italy, from 26 August to 6 September 1985,⁸⁷

Expresses its deep appreciation to the Government and people of Italy for acting as host to the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

*96th plenary meeting
29 November 1985*

40/38. International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling its resolutions 37/56 of 3 December 1982, 38/104 of 16 December 1983 and 39/122 of 14 December 1984, as well as Economic and Social Council resolution 1985/45 of 31 May 1985,

Taking note with satisfaction of the report of the International Research and Training Institute for the Advancement of Women on its activities,⁸¹

Taking note with interest of the Institute's mode of operation, through the use of networks, in carrying out its functions at the international, regional and national levels,

⁸⁰ A/CONF.121/16.

⁸¹ A/40/707, annex.

*Recogniz*ing the importance of research, training and information activities for the increased participation of women in the development process at all levels,

Recognizing also the importance of research, training and information activities for the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women,⁷⁹

1. *Requests* the International Research and Training Institute for the Advancement of Women to strengthen its activities in research and training for the formulation of policy analysis, planning and programming relevant to the increased participation of women in development, especially its activities in statistics, indicators and data relevant to women, in particular in the developing countries, at the national and regional levels;

2. *Also requests* the Institute to give particular emphasis in its programme of activities to innovative methodological approaches related to women and development in research, training and information programmes;

3. *Calls upon* competent institutions and organizations within and outside the United Nations system to continue their collaboration with the Institute by strengthening the network of co-operative arrangements related to programmes concerning women and development;

4. *Invites* States, 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, in view of the long-term projection for the work of the Institute;

5. *Requests* the Secretary-General to submit to the General Assembly at its forty-second session a report on the activities of the Institute;

6. *Decides* to include in the provisional agenda of its forty-second session the item entitled "International Research and Training Institute for the Advancement of Women".

96th plenary meeting
29 November 1985

40/39. Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly,

Bearing in mind 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 for all without distinction of any kind, including distinction as to sex,

Reaffirming that women and men should participate equally in social, economic and political development, should contribute equally to such 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, 37/64 of 3 December 1982, 38/109 of 16 December 1983 and 39/130 of 14 December 1984,

Taking note of the report of the Secretary-General on the status of the Convention,⁸²

Having considered the report of the Committee on the Elimination of Discrimination against Women on the work of its fourth session,⁸³

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. *Urges* all States that have not yet ratified or acceded to the Convention to do so as soon as possible, taking into account the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi from 15 to 26 July 1985;

3. *Requests* the Secretary-General to submit annually to the General Assembly a report on the status of the Convention;

4. *Takes note* of the report of the Committee on the Elimination of Discrimination against Women on the work of its fourth session;

5. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the Convention;

6. *Urges* States parties to make all possible efforts to submit their initial implementation reports in accordance with article 18 of the Convention and the guidelines of the Committee, and requests the Committee, in organizing its work, to ensure that the reports of States parties are adequately reviewed within the quadrennial cycle envisaged in the Convention;

7. *Requests* the Secretary-General to make all efforts to ensure adequate servicing for the effective functioning of the Committee as a treaty body of the United Nations;

8. *Takes note once again* of the discussion in the Committee, at its third session,⁸⁴ concerning the inclusion in the agenda of a future session of an item on ways and means of implementing article 21 of the Convention, which provides that the Committee may make suggestions and general recommendations based on the examination of reports;

9. *Requests* the Secretary-General to transmit the report of the Committee on the Elimination of Discrimination against Women to the Commission on the Status of Women, for information.

96th plenary meeting
29 November 1985

40/98. Improvement of the role of the United Nations in the field of social development

The General Assembly,

Recalling the Declaration on Social Progress and Development based on the Charter of the United Nations and solemnly proclaimed on 11 December 1969,⁸⁵

Recalling also 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, 33/48 of 14 December 1978 on world social development and 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

Bearing in mind the Nairobi Forward-looking Strategies for the Advancement of Women, adopted by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Devel-

⁸² A/40/623.

⁸³ Official Records of the General Assembly, Fortieth Session, Supplement No. 45 (A/40/45).

⁸⁴ *Ibid.*, Thirty-ninth Session, Supplement No. 45 (A/39/45), vol. II, para. 360.

⁸⁵ See resolution 2542 (XXIV).

opment and Peace,⁵¹ and the need for the implementation thereof,⁸⁶

Recalling resolution 40/14 of 18 November 1985 on the International Youth Year: Participation, Development, Peace, adopted by the General Assembly acting as the United Nations World Conference for the International Youth Year,

Recalling also its resolution 39/25 of 23 November 1984 on the question of aging,

Referring to its resolution 39/26 of 23 November 1984 on the United Nations Decade of Disabled Persons,

Recalling its resolution 32/197 of 20 December 1977 in which it, *inter alia*, requested the United Nations Secretariat to prepare, on a regular basis, global economic and social surveys and projections,

Taking into account its resolutions 34/152 of 17 December 1979 and 37/54 of 3 December 1982 on the world social situation,

Having regard to Economic and Social Council resolutions 10 (II) of 21 June 1946 establishing a permanent Social Commission, 830 J (XXXII) of 2 August 1961 on the strengthening of the work of the United Nations in the social field and 1139 (XLI) of 29 July 1966 in which it adopted the present mandate and present designation of the Commission for Social Development,

Taking note of Economic and Social Council resolution 1985/36 of 29 May 1985 entitled "Progress of work of the Commission for Social Development",

Taking into account the discussion of the Economic and Social Council, during its first regular session of 1985, on the work of the Commission,

Having considered the 1985 Report on the World Social Situation,⁸⁷

Noting with concern that, although recovery and growth are under way in some States, the recession that has afflicted the world economy in recent years has had a deep negative impact on the economies of many countries,

1. Notes with concern that the ideals of the Declaration on Social Progress and Development have not been implemented nor have the objectives and overall development goals adopted and reaffirmed in the International Development Strategy for the Third United Nations Development Decade been achieved yet;

2. Reaffirms that the socio-economic aspects and goals of development are an integral part of the overall development process;

3. Reaffirms also the urgency of taking effective measures aimed at further promoting social progress and development;

4. Emphasizes the importance of making analyses of, and exchanging information on, the fundamental problems of socio-economic development in order to formulate and implement policy measures in the fields of employment, education, health, nutrition, housing facilities, crime prevention, the well-being of children, equal opportunities for the disabled and the aged, full participation of youth in the development process and the full integration and participation of women in development;

5. Calls upon the relevant organs, organizations and bodies of the United Nations system to undertake measures aimed at improving social conditions and achieving the main objectives set forth in the Declaration on Social Progress and Development and in the International Development Strategy for the Third United Nations Development Decade;

6. Notes the role of the Commission for Social Development in the field of social development and humanitarian affairs;

7. Invites the Economic and Social Council to consider, at its first regular session of 1986, existing ways and means of improving the work of the Commission.

116th plenary meeting
13 December 1985

40/99. 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, 37/55 of 3 December 1982 and 38/24 of 22 November 1983,

Taking note of Economic and Social Council resolution 1983/31 of 27 May 1983 and decision 1984/131 of 24 May 1984, as well as of Commission on Human Rights resolution 1985/44 of 14 March 1985,³⁰

Reaffirming that popular participation in all sectors of public life, including the participation of workers in management and workers' self-management where they exist, constitutes an important factor in socio-economic development and in the full realization of all human rights and the dignity of the human person,

1. Takes note of the study by the Secretary-General;⁸⁸

2. Invites Governments, the concerned specialized agencies and other organizations of the United Nations system and the relevant non-governmental organizations to transmit to the Secretary-General their comments on the study;

3. Requests the Commission on Human Rights to continue to consider at its forty-second and, if desired by the Commission, at its forty-third, forty-fourth and forty-fifth sessions, the question of popular participation in its various forms as an important factor in the full realization of all human rights, and to inform the General Assembly at its forty-fourth session, through the Economic and Social Council, of the results of that consideration;

4. Decides to continue the consideration of this question at its forty-fourth session, in the context of the item relating to the world social situation, under the sub-item entitled "Popular participation in its various forms as an important factor in development and in the full realization of all human rights".

116th plenary meeting
13 December 1985

40/100. World social situation

The General Assembly,

Recalling its resolutions 34/152 of 17 December 1979 and 37/54 of 3 December 1982 on the world social situation,

Recalling also 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 cooperation, 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the

⁸⁶ See resolution 40/108.

⁸⁷ United Nations publication, Sales No. E.85.IV.2.

⁸⁸ E/CN.4/1985/10 and Add.1 and 2.

Third United Nations Development Decade, and 36/194 of 17 December 1981, in which it endorsed the Substantial New Programme of Action for the 1980s for the Least Developed Countries,⁸⁹

Recalling further its resolution 39/29 of 3 December 1984 on the critical economic situation in Africa,

Bearing in mind its resolutions 40/14 of 18 November 1985 on the International Youth Year: Participation, Development, Peace and 40/17 of 18 November 1985 on channels of communication between the United Nations and youth and youth organizations,

Recognizing that social progress and development are founded on respect for the dignity and value of the human person,

Bearing in mind 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 the fair distribution of the benefits therefrom, and that the pace of development in the developing countries as a whole should be accelerated substantially in order to enable them to achieve this goal,

Mindful that the existing inequalities and imbalances in the international economic system are widening the gap between developed and developing countries and thereby constitute a major obstacle to the development of the developing countries and adversely affect international relations and the promotion of world peace and security,

Conscious that each country has the sovereign right freely to adopt the economic and social system that it deems the most appropriate and that each Government has a primary role in ensuring the social progress and well-being of its people,

Reaffirming that economic growth must go hand in hand with qualitative and structural changes, the reduction of social and economic disparities and the adoption of measures to ensure the effective participation of all peoples in the preparation and execution of their national policies for economic and social development,

Convinced of the urgent necessity rapidly to eradicate colonialism, neo-colonialism, racism and all forms of racial discrimination, *apartheid*, terrorism in all its forms, aggression, foreign occupation and alien domination and all forms of inequality, exploitation and subjugation of peoples, which constitute major obstacles to economic and social progress as well as to the promotion of world peace and security,

Reaffirming the existence of the interrelationship of peace, disarmament and development and therefore the imperative need to halt the arms race, thereby releasing valuable resources that could be used for the development of the developing countries and could contribute to the well-being and prosperity of all,

Reaffirming also that the primary responsibility for their development rests with the developing countries themselves and that the commitment from other countries to support these efforts is of vital importance for achievement of this aim,

Having considered the 1985 Report on the World Social Situation,⁸⁷

1. *Takes note* of the 1985 Report on the World Social Situation;

2. *Takes note also* of the conclusions of the Commission for Social Development at its twenty-ninth session;⁹⁰

3. *Notes with deep concern* the continuing deterioration of the economic and social situation of the world, in par-

ticular in the developing countries, whose position has been further worsened by sharp fluctuations in exchange rates, high real rates of interest, the severe fall in commodity prices, serious deterioration in the terms of trade of developing countries, increased protectionist pressures, the reverse transfer of resources from developing countries, crushing debt burdens, the restrictive adjustment process demanded by financial and development institutions, the decline in official development assistance in real terms and the severe inadequacy of resources experienced by multi-lateral development and financial institutions;

4. *Notes further with deep concern* that the economic and social situation in Africa continues to be critical and that it has been exacerbated by the world recession and by famine, drought and desertification;

5. *Calls* for full implementation of General Assembly resolution 39/29 on the critical economic situation in Africa;

6. *Notes with great concern* the slow progress in the implementation of the Declaration on Social Progress and Development and in the attainment of the objectives and overall development goals adopted and reaffirmed in the International Development Strategy for the Third United Nations Development Decade;

7. *Reaffirms* that the social aspects and goals of development are an integral part of overall development and that it is the sovereign right of each country freely to determine and implement appropriate policies for social development within the framework of its development plans and priorities;

8. *Emphasizes* the importance, for the achievement of social progress, of the establishment of the new international economic order;

9. *Reaffirms* the urgent need to implement the socio-economic development objectives contained in the Declaration on Social Progress and Development and the International Development Strategy for the Third United Nations Development Decade, as well as the need to implement the socio-economic objectives of the Substantial New Programme of Action for the 1980s for the Least Developed Countries;

10. *Emphasizes again* that the rapid socio-economic progress of developing countries requires substantially enhanced multilateral and bilateral financial support and advanced technological assistance to national development efforts, rendered within the framework of the development plans of developing countries;

11. *Calls upon* all Member States to promote economic development and social progress by the formulation and implementation of an interrelated set of policy measures to achieve the goals and objectives established within the framework of national plans and priorities in the fields of employment, education, health, nutrition, housing facilities, crime prevention, the well-being of children, equal opportunities for the disabled and the aged, full participation of youth in the development process and full integration and participation of women in development;

12. *Calls upon* the relevant organs, organizations and bodies of the United Nations system to mobilize the necessary resources to undertake measures aimed at improving social conditions and achieving the main objectives set forth in the Declaration on Social Progress and Development, the International Development Strategy for the Third United Nations Development Decade and the Substantial New Programme of Action for the 1980s for the Least Developed Countries;

⁸⁹ 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.

⁹⁰ See Official Records of the Economic and Social Council, 1985, Supplement No. 4 (E/1985/24 and Corr.1).

13. *Also calls upon* Member States to make all efforts to promote the accelerated and complete elimination of such fundamental elements hindering economic and social progress and development as colonialism, neo-colonialism, racism and all forms of racial discrimination, *apartheid*, terrorism in all its forms, aggression, foreign occupation, alien domination and all forms of inequality and exploitation of peoples, and also to undertake effective measures to lessen international tensions and to halt the arms race and redistribute released resources in order to promote social and economic development;

14. *Requests* the Secretary-General to continue monitoring the world social situation in depth on a regular basis and to submit the next full report on the world social situation to the General Assembly in 1989, for consideration at its forty-fourth session, through the Economic and Social Council;

15. *Also requests* the Secretary-General, in preparing the next report on the world social situation, to take into account the observations made by Member States on the 1985 report as well as the conclusions of the Commission for Social Development contained in the report on its twenty-ninth session;

16. *Further requests* the Secretary-General to make the necessary arrangements for wide dissemination of the reports on the world social situation;

17. *Invites* the organs, organizations and bodies of the United Nations system to co-operate fully with the Secretary-General in the preparation of future reports by making available all relevant information pertaining to their respective areas of competence;

18. *Decides* to include in the provisional agenda of its forty-fourth session the item entitled "World social situation".

*116th plenary meeting
13 December 1985*

40/101. The role of women in society⁹¹

The General Assembly,

Reaffirming the objectives of the United Nations Decade for Women: Equality, Development and Peace, as well as the importance of the Declaration of Mexico on the Equality of Women and their Contribution to Development and Peace, 1975,⁹² the World Plan of Action for the Implementation of the Objectives of the International Women's Year⁹³ and the Programme of Action for the Second Half of the United Nations Decade for Women,⁹⁴

Welcoming the results of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi from 15 to 26 July 1985, in particular the adoption of the Nairobi Forward-looking Strategies for the Advancement of Women,⁵¹

Noting that just and lasting peace and social progress, as well as the establishment of a new international economic order, require the active participation of women in promoting international peace and co-operation and in the process of development,

Bearing in mind that economic inequality, colonialism, racism, racial discrimination, *apartheid*, foreign intervention, occupation, alien domination and terrorism in all its forms, acts of aggression and interference in the internal

affairs of others and violations of human rights and fundamental freedoms constitute an impediment to the achievement of real and genuine equality and to the integration of women in society,

Convinced of the necessity to secure for all women full realization of the rights embodied in the Convention on the Elimination of All Forms of Discrimination against Women,⁷⁵ in the International Covenants on Human Rights²⁴ and in other relevant instruments in this field,

Recognizing that the achievement of equal and full participation of women in all spheres of activities constitutes an inseparable part of the political, economic, social and cultural development of all countries,

Aware that efforts to promote the status of women in all its aspects and their complete integration in society go beyond the problem of legal equality and that deeper structural transformations of society and changes in present-day economic relations, as well as elimination of traditional prejudices through education and dissemination of information, are required so as to create conditions for women to develop fully their intellectual and physical capacities and to participate actively in the decision-making process in political, economic, social and cultural development,

Mindful of the necessity to enlarge the possibilities for both men and women to combine parental duties and household work with paid employment and social activities,

Aware that the role of women in childbearing should not be the cause of inequality and discrimination, and that child rearing demands shared responsibilities among women, men and society as a whole,

Deeply appreciating the increasing participation of women in political, economic, social and cultural life and their contribution thereto,

1. *Appeals* to all Governments, international organizations and non-governmental organizations to recognize in their activities the importance of all interrelated aspects of the role of women in society — as mothers, as participants in economic development and as participants in public life — without underestimating any one of them;

2. *Calls upon* all Governments to encourage such social and economic development that would secure the participation of women in all spheres of work, equal pay for work of equal value and equal opportunities for education and for professional and vocational training, taking into consideration the necessity of combining all aspects of the role of women in society;

3. *Appeals* to Governments, international organizations and non-governmental organizations to promote conditions that would enable women to participate as equal partners with men in public and political life, in the decision-making process at all levels and in the management of different spheres of life in society;

4. *Calls upon* Governments to recognize the special status and social importance of motherhood and to take, in the context of their specific abilities and conditions, all necessary measures to promote its protection, including maternity leave with pay, and to provide security for their jobs as long as necessary, so as to allow women, if they so wish, to fulfil their role as mothers without prejudice to their professional and public activities;

5. *Appeals* to Governments to promote the establishment of appropriate facilities for child-care and education

⁹¹ See also sect. I, footnote 17, and sect. V, resolution 40/204.

⁹² *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. I.

⁹³ *Ibid.*, chap. II, sect. A.

⁹⁴ *Report of the World Conference on 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.

of children as a means of combining parenthood with economic, political, social, cultural and other activities and thus to provide assistance to women in integrating fully into their societies;

6. *Decides* to consider the question of the role of women in society at its forty-first session under an item entitled "Forward-looking strategies for the advancement of women to the year 2000".

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13 December 1985*

40/102. Participation of women in promoting international peace and co-operation

The General Assembly,

Confirming the noble goal enshrined in the Charter of the United Nations to maintain peace and security in the world and the determination of the States Members of the United Nations expressed therein to save present and succeeding generations from the scourge of war,

Recalling that the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi from 15 to 26 July 1985, in adopting the Nairobi Forward-looking Strategies for the Advancement of Women,⁹⁵ underlined the importance of the participation of women in promoting international peace and co-operation,

Convinced that the International Year of Peace, proclaimed for the year 1986 by the General Assembly in its resolution 40/3 of 24 October 1985, could give new impulses for safeguarding international peace and security,

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,

Recalling its resolution 39/124 of 14 December 1984, in which it requested the Commission on the Status of Women to consider what measures might be necessary in order to implement the Declaration,

Wishing to encourage the active participation of women in promoting international peace and security and co-operation,

Convinced that increased efforts are required to eliminate still existing forms of discrimination against women in every field of human endeavour,

Conscious of the need to implement the provisions of the Declaration,

1. *Pledges its determination* to encourage the full participation of women in the economic, social, cultural, civil and political affairs of society and in the endeavour to promote international peace and co-operation;

2. *Appeals* to all Governments to take the necessary measures for putting into practice the principles and provisions of the Declaration on the Participation of Women in Promoting International Peace and Co-operation;

3. *Invites* all Governments to give wide publicity to the Declaration and its implementation;

4. *Requests* the Secretary-General to continue to take adequate steps to ensure that publicity is given to the Declaration;

5. *Invites* the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and other appropriate bodies within the United Nations

system to consider adequate measures to implement the Declaration;

6. *Requests* the Commission on the Status of Women to consider measures which may be necessary to implement the Declaration in the context of the Nairobi Forward-looking Strategies for the Advancement of Women for the period up to the year 2000;

7. *Decides* to consider the further implementation of the Declaration at its forty-first session, as a sub-item of an item entitled "Forward-looking strategies for the advancement of women to the year 2000".

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13 December 1985*

40/103. Prevention of prostitution

The General Assembly,

Having considered the report of the Special Rapporteur on the subject of the suppression of the traffic in persons and of the exploitation of the prostitution of others, prepared in pursuance of Economic and Social Council resolution 1982/20 of 4 May 1982,⁹⁵

Recalling its resolution 38/107 of 16 December 1983 and Economic and Social Council resolution 1983/30 of 26 May 1983, as well as the report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace,⁹⁶

Considering that the suppression of the traffic in persons and of the exploitation of the prostitution of others require a three-fold concerted effort, involving prevention, punishment of all forms of procuring and solidarity in order to facilitate the social rehabilitation of the victims,

1. *Congratulates* the Economic and Social Commission for Asia and the Pacific, the United Nations Educational, Scientific and Cultural Organization and the World Tourism Organization for the action they have begun to take in implementation of Economic and Social Council resolution 1983/30;

2. *Invites once again* the Economic and Social Council to consider the whole question of the suppression of the traffic in persons and of the exploitation of the prostitution of others at its first regular session of 1986 in connection with the agenda item on human rights, together with the reports requested by the Council in its resolution 1983/30;

3. *Invites* the Working Group on Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to transmit its report to the Commission on the Status of Women at its next session;

4. *Requests* the Secretary-General to expedite the issuance as a United Nations document of the report on the suppression of the traffic in persons and of the exploitation of the prostitution of others prepared in pursuance of Economic and Social Council resolution 1982/20.

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40/104. United Nations Development Fund for Women

The General Assembly,

Recalling its resolution 39/125 of 14 December 1984, in which it decided, *inter alia*, that the activities of the Voluntary Fund for the United Nations Decade for Women

⁹⁵ E/1983/7 and Corr.1 and 2.

⁹⁶ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and

Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10).

should be continued through establishment of a separate and identifiable entity in autonomous association with the United Nations Development Programme,

Taking note of decision 85/33 of 29 June 1985 of the Governing Council of the United Nations Development Programme, as well as decision 85/7 of 28 June 1985,⁹⁷ in which the Governing Council requested the Administrator of the United Nations Development Programme to develop an internal implementation strategy to strengthen the capacity of the Programme to deal with issues of women in development which, calling on the experience of the Fund, would establish verifiable objectives and a time-frame for implementation,

Recognizing the Fund's dual priorities, to serve as a catalyst with the goal of ensuring the appropriate involvement of women in mainstream development activities, as often as possible at pre-investment stages, and to support activities directly benefiting women in line with national and regional priorities,

Considering the innovative and experimental activities of the Fund directed towards strengthening both governmental and non-governmental institutional capacities to ensure access for women to development co-operation resources and their full participation at all levels in the development process,

Stressing that general questions of development and access of women to development resources have, as a common objective, the creation of conditions which will improve the quality of life for all,

Aware of the broad range of linkages of the Fund with Governments, national women's groups, non-governmental organizations and women's research institutes, besides its close co-operation with United Nations development agencies, including the regional commissions,

Reaffirming that the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, in adopting the Nairobi Forward-looking Strategies for the Advancement of Women,⁵¹ underlined the necessity of strengthening the role of women in national and international development programmes,

Taking note of the reports of the Consultative Committee on the Fund on its seventeenth and eighteenth sessions,⁹⁸

Taking note also of the report of the Secretary-General,⁹⁹

1. *Expresses its satisfaction* that the establishment of the United Nations Development Fund for Women, in autonomous association with the United Nations Development Programme, was effected on the agreed target date of 1 July 1985, in accordance with the arrangements set out in General Assembly resolution 39/125;

2. *Approves* the name United Nations Development Fund for Women, with the acronym UNIFEM, as the new name for the Fund, as proposed by the Consultative Committee on the Fund at its seventeenth session, held from 25 to 29 March 1985, in accordance with paragraph 4 of resolution 39/125 and as reflected in the annex to that resolution;

3. *Notes with satisfaction* the steps that are being undertaken to implement resolution 39/125, as well as the commitment expressed by the Administrator of the United Nations Development Programme to ensure the appropriate involvement of women in mainstream development activities;

4. *Stresses* the need for close and continuous working relationships between the Fund, the United Nations Development Programme and those bodies, organs and organizations of the United Nations system and other agencies concerned with women's issues and development co-operation;

5. *Expresses its appreciation* for the contributions to the Fund made by Governments, intergovernmental and non-governmental organizations and individuals, which have a vital role to play in maintaining and increasing the financial viability of the Fund and the effectiveness of its work;

6. *Urges* Governments to continue and, where possible, to increase their contributions to the Fund, and calls upon those Governments that have not yet done so to consider contributing to the Fund, in order to enable the Fund to give greater support to deserving requests received for technical assistance;

7. *Requests* the Consultative Committee on the Fund to continue to monitor the process of implementing the new arrangements for the management of the Fund, as set out in the annex to resolution 39/125;

8. *Requests* the Administrator of the United Nations Development Programme to submit to the Governing Council of the Programme an annual report on the operations, management and budget of the Fund, taking into account the advice of the Consultative Committee on the Fund;

9. *Also requests* the Administrator of the United Nations Development Programme to submit to the General Assembly at its forty-first session, through the Secretary-General, a report on the activities of the Fund, in accordance with resolution 39/125.

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40/105. Incorporation of the interests of women in the work programmes of the regional commissions

The General Assembly,

Recalling its resolution 39/127 of 14 December 1984, in particular the reference to the incorporation of women's concerns in the overall programme of work of each regional commission and to the regularization of senior women's programme officers posts,

Convinced that further efforts are needed to ensure adequate consideration of women's concerns within the regional commissions,

Recognizing the important contribution the senior women's programme officers can make to the integration of women in development at the national and regional levels,

1. *Takes due note* of the report of the Secretary-General on measures taken by the regional commissions to incorporate women's concerns at all levels in their overall work programmes and to establish senior women's programme officers posts;¹⁰⁰

2. *Expresses deep concern* at the inadequate response of the regional commissions to the need to incorporate the interests of women in their economic and social policies and programmes;

3. *Stresses* that the integration of women in economic development as well as in social development is essential to the well-being of society;

⁹⁷ See *Official Records of the Economic and Social Council, 1985, Supplement No. 11 (E/1985/32 and Corr.1), annex I.*

⁹⁸ See A/40/727 and Corr.1, sect. VI.

⁹⁹ A/40/727 and Corr.1.

¹⁰⁰ A/40/838.

4. *Invites* the executive secretaries of the five regional commissions to propose to their governing bodies measures for reassessing all individual work programmes in order to incorporate women's concerns at all levels in their overall work programmes for the biennium 1988-1989, taking into account the roles and responsibilities of the regional commissions in developing and implementing the system-wide, medium-term plan for women and development¹⁰¹ and the Nairobi Forward-looking Strategies for the Advancement of Women;⁵¹

5. *Requests* the Secretary-General to take into account the important role of the regional commissions in promoting the advancement of women when formulating the system-wide, medium-term plan for women and development and when implementing the Forward-looking Strategies;

6. *Also requests* the Secretary-General to report to the General Assembly at its forty-first session:

(a) On the progress made in implementing paragraphs 5 and 6 of its resolution 39/127;

(b) On the measures proposed by the five regional commissions to incorporate women's concerns at all levels in their overall work programmes for the biennium 1988-1989, as outlined in paragraph 4 above.

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40/106. National experience relating to the improvement of the situation of women in rural areas

The General Assembly,

Referring to the Nairobi Forward-looking Strategies for the Advancement of Women, adopted by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace,⁵¹

Recalling its resolutions 34/14 of 9 November 1979, 37/59 of 3 December 1982 and 39/126 of 14 December 1984, concerning the improvement of the situation of women in rural areas,

Reaffirming the importance attached in the Programme of Action for the Second Half of the United Nations Decade for Women⁵⁴ and in the Convention on the Elimination of All Forms of Discrimination against Women⁷⁵ to the need to improve the status of women and ensure their full participation, both as agents and as beneficiaries, in the development process,

Recognizing the urgent need to take additional appropriate measures aimed at further improving the situation of women in rural areas,

Convinced that the eradication of *apartheid*, all forms of racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination is essential to the further improvement of the situation of rural women,

Considering that the strengthening of international peace and co-operation is one of the factors contributing to the further improvement of the situation of rural women,

1. *Takes note* of the report of the Interregional Seminar on National Experience Relating to the Improvement of the Situation of Women in Rural Areas, held at Vienna from 17 to 28 September 1984, as well as the compilation of observations and comments made by Member States;¹⁰²

2. *Calls upon* Governments to elaborate and implement, as a part of national development strategies, special

comprehensive programmes for improving the situation of women in rural areas and to establish monitoring and evaluating mechanisms, involving women themselves, for these programmes;

3. *Requests* the organizations and funds concerned within the United Nations system to pay greater attention to the needs of rural women and to assist Member States, especially the developing countries, in the implementation of their national policies and programmes aimed at the advancement of rural women;

4. *Requests* the Secretary-General to prepare, in consultation with the Member States, a comprehensive report on the present status and perspectives for the improvement of the situation of rural women, paying special attention, *inter alia*, to:

(a) Participation of rural women in socio-economic and political life;

(b) Questions of the exercise by rural women of their rights;

(c) Role of agricultural co-operatives in the improvement of the situation of women;

(d) Agrarian reform, particularly in favour of rural women, with a view to improving their situation;

(e) Elimination of illiteracy among rural women and upgrading of their educational level;

(f) Assistance to rural women in the improvement of their situation;

5. *Also requests* the Secretary-General to submit the report to the General Assembly at its forty-fourth session through the Economic and Social Council.

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13 December 1985*

40/107. Expression of appreciation to the Government and people of Kenya on the occasion of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace

The General Assembly,

Taking into account the significance and the results of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi from 15 to 26 July 1985,⁹⁶

Expresses its deep appreciation to the Government and people of Kenya for acting as host to the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace.

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13 December 1985*

40/108. Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women

The General Assembly,

Recalling its resolution 3520 (XXX) of 15 December 1975, in which it proclaimed the period from 1976 to 1985 the United Nations Decade for Women: Equality, Development and Peace,

Bearing in mind the Convention on the Elimination of All Forms of Discrimination against Women,⁷⁵ which was

¹⁰¹ See E/1985/45.

¹⁰² See A/40/239 and Add.1.

adopted on 18 December 1979 and which came into force on 3 September 1981,

Recalling also the principles and objectives set forth in the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace, 1975,⁹² the World Plan of Action for the Implementation of the Objectives of the International Women's Year⁹³ and the Programme of Action for the Second Half of the United Nations Decade for Women,⁹⁴

Bearing in mind also its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and 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 2542 (XXIV) of 11 December 1969 proclaiming the Declaration on Social Progress and Development,

Bearing in mind further the consensus achieved in the text of 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 particular regarding the implementation of the objectives of the United Nations Decade for Women within the framework of the Strategy,

Recalling also 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,

Recalling further its resolution 39/29 of 3 December 1984 on the critical economic situation in Africa,

Recalling its resolution 35/136 of 11 December 1980, in which it 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,

Conscious of the considerable and constructive contribution made by the Commission on the Status of Women acting as preparatory body for the Conference, the specialized agencies, the regional commissions and other organizations of the United Nations system, Member States and non-governmental organizations in the preparations for the Conference,

Aware of the continued contribution made by the Non-Governmental Organizations Forum to the advancement of women,

Convinced that the full integration of women in all aspects of political, economic and social life, at the international, regional and national levels, is essential if the obstacles to the achievement of the goals and objectives of the Decade are to be overcome,

Having considered the report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace,⁹⁶

Convinced that the Conference, by adopting the Nairobi Forward-looking Strategies for the Advancement of Women,⁵¹ has made an important and positive contribution to the attainment of the objectives of the Decade and provided a policy framework for advancing the status of women to the year 2000,

Further convinced that the Conference has made an important and constructive contribution by appraising the progress achieved and obstacles encountered in the implementation of the objectives of the Decade and by preparing and adopting strategies to advance the status of women for the next fifteen years,

Stressing that during the period 1986-2000 the primary responsibility for implementing the Forward-looking Strategies rests with individual countries, as they are intended to serve as guidelines for a process of continuous adaptation to diverse and changing situations at speeds and in modes determined by overall national priorities, within which the integration of women in development should rank high,

Reaffirming that the realization of equal rights for women at all levels and in all areas of life will contribute to the achievement of a just and lasting peace, to social progress and to respect for human rights and fundamental freedoms, and that the integration of women in the mainstream of the development process requires not only commitment at the national, regional and international levels, but also continuing financial and technical support, and also requires the establishment of the new international economic order,

Considering that the Forward-looking Strategies should immediately be translated into concrete action by Governments, as determined by overall national priorities, by organizations of the United Nations system, specialized agencies and intergovernmental and non-governmental organizations, including women's organizations,

Persuaded of the importance of taking measures to ensure system-wide co-ordination within the United Nations in order to develop a comprehensive and integrated approach to the issues which are crucial to the advancement of women,

1. *Takes note with satisfaction* of the report of the World Conference to Review and Appraise the Achievement of the United Nations Decade for Women: Equality, Development and Peace;⁹⁶

2. *Endorses* the Nairobi Forward-looking Strategies for the Advancement of Women;⁵¹

3. *Affirms* that the implementation of the Forward-looking Strategies should result in the elimination of all forms of inequality between women and men and in the complete integration of women into the development process and that that should guarantee broad participation by women in efforts to strengthen peace and security in the world;

4. *Declares* that the objectives of the United Nations Decade for Women: Equality, Development and Peace, with the subtheme "Employment, Health and Education", remain valid;

5. *Calls upon* Governments to allocate adequate resources and to take effective appropriate measures to implement the Forward-looking Strategies as a matter of high priority, including the establishment or reinforcement, as appropriate, of national machineries to promote the advancement of women, and to monitor the implementation of these strategies with a view to ensuring the full integration of women in the political, economic, social and cultural life of their countries;

6. *Calls upon* all Governments of Member States to appoint women to decision-making positions, bearing in mind their contribution to national development;

7. *Invites* Governments, when preparing and evaluating national plans and programmes of action, to incorporate measurable targets for overcoming obstacles to the advancement of women and to include measures for the involvement of women in development, both as agents and beneficiaries, on an equal basis with men, and to review the impact of development policies and programmes on women;

8. *Invites* governmental, intergovernmental and non-governmental organizations to give high priority to the

implementation of the Forward-looking Strategies and, in particular, to ensure that sectoral policies and programmes for development include strategies to promote the participation of women as agents and beneficiaries on an equal basis with men;

9. *Urges* all Governments to contribute to the strengthening of institutional co-ordination in their regions and subregions in order to establish collaborative arrangements and to develop approaches for the implementation of the Forward-looking Strategies at those levels;

10. *Urges* all organizations of the United Nations system, including the regional commissions and all specialized agencies, to take the necessary measures to ensure a concerted and sustained effort for the implementation of the provisions of the Forward-looking Strategies with a view to achieving a substantial improvement in the status of women by the year 2000 and to ensure that all projects and programmes take into account the need for the complete integration of women and women's concerns;

11. *Requests* the Secretary-General and the specialized agencies and bodies of the United Nations system to establish, where they do not already exist, focal points on women's issues in all sectors of the work of the organizations of the United Nations system;

12. *Urges* the Administrative Committee on Co-ordination to review periodically the system-wide implementation of the Forward-looking Strategies and to hold regular inter-agency meetings on women within the framework of the Administrative Committee on Co-ordination;

13. *Emphasizes* the central role of the Commission on the Status of Women in matters related to the advancement of the status of women and calls upon it to promote the implementation of the Forward-looking Strategies to the year 2000 based on the goals of the United Nations Decade for Women: Equality, Development and Peace, and the subtheme "Employment, Health and Education", and urges all organizations of the United Nations system to co-operate with the Commission in this task;

14. *Requests* the Secretary-General to ensure that the Commission on the Status of Women receives the support services it requires to fulfil its central role effectively;

15. *Also requests* the Secretary-General to invite Governments, organizations of the United Nations system, including regional commissions and specialized agencies, intergovernmental and non-governmental organizations to report periodically through the Commission on the Status of Women to the Economic and Social Council on the activities undertaken at all levels to implement the Forward-looking Strategies;

16. *Further requests* the Secretary-General, in preparing the note on the integrated reporting system for periodic review and appraisal of progress in the advancement of women for submission to the Commission on the Status of Women at its thirty-first session, as called for in Economic and Social Council decision 1984/123 of 24 May 1984, to include proposals for a reporting system to facilitate the monitoring of the implementation of the Forward-looking Strategies as set out in paragraph 15 above, taking into account the experience gained during the Decade, the views of Governments and the need not to duplicate existing reporting obligations, bearing in mind the need to carry out periodical in-depth sectoral reviews of progress achieved and obstacles encountered in implementing the Forward-looking Strategies to the year 2000;

17. *Recommends* that the Secretary-General prepare and submit to the Commission on the Status of Women at its thirty-first session, bearing in mind the remarks and concrete recommendations made during the debate at the fortieth session, in particular the proposals about increas-

ing the number of members and the frequency of meetings of the Commission, a report on alternative measures to strengthen the Commission in the discharge of its functions following the United Nations Decade for Women, and also recommends that the recommendations of the Commission on the matter be reported to the General Assembly at its forty-first session through the Economic and Social Council;

18. *Reaffirms* the role of the Centre for Social Development and Humanitarian Affairs of the Department of International Economic and Social Affairs of the Secretariat, in particular the Branch for the Advancement of Women, as the substantive secretariat of the Commission and as a focal point for matters on women, and requests the Secretariat to collect and disseminate information on system-wide activities related to the implementation of the Forward-looking Strategies;

19. *Takes note with satisfaction* of the appointment of the Co-ordinator for the Improvement of the Status of Women in the Secretariat of the United Nations, in accordance with General Assembly resolution 39/245 of 18 December 1984, and, in this context, of the fact that the Secretary-General should continue to plan and implement positive actions and programmes to improve the status of women in the Secretariat and to monitor the progress achieved;

20. *Calls upon* the Secretary-General and the heads of the specialized agencies and other United Nations bodies to establish new five-year targets at each level for the percentage of women in Professional and decision-making positions, in accordance with the criteria established by the General Assembly, in particular that of equitable geographical distribution, in order that a definite upward trend in the application of Assembly resolution 33/143 of 20 December 1978 be registered in the number of Professional and decision-making positions held by women by 1990 and to set additional targets every five years;

21. *Welcomes* Economic and Social Council resolution 1985/46 of 31 May 1985 regarding women and development and, noting the particular importance of paragraph 4 of that resolution, recommends that immediate measures be taken to ensure that future medium-term plans of the United Nations and the specialized agencies should contain intersectoral presentations of the various programmes dealing with issues of concern to women and that revisions of current plans should be considered in the light of the results of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace;⁹⁶

22. *Requests* the Secretary-General to take into account the requirements of the Forward-looking Strategies in preparing the programme budget and programme of work for the biennium 1988-1989;

23. *Urges* all financial institutions and all international regional and subregional organizations, institutions, development banks and general funding agencies to ensure that their policies and programmes promote the full participation of women as agents and beneficiaries in the development process;

24. *Invites* the Secretary-General to circulate the report of the Conference among Member States, all organizations of the United Nations system and specialized agencies, intergovernmental and non-governmental organizations in order to ensure that the Forward-looking Strategies are publicized and disseminated as widely as possible, and encourages Governments to translate the Strategies into their national languages;

25. *Requests* the Secretary-General and the heads of all organizations within the United Nations system and of the

specialized agencies to continue to give high priority in their public information programmes to disseminating information concerning women and, in particular, the Forward-looking Strategies and, in the light of the recommendations contained in the Strategies, further requests the Secretary-General to provide in the regular budget for the continuation of the existing weekly radio programmes on women, with adequate provision for distributing them in different languages;

26. Also requests the Secretary-General to report to the General Assembly at its forty-first session on measures taken to implement the present resolution;

27. Decides to consider these questions further at its forty-first session under an item entitled "Forward-looking strategies for the advancement of women to the year 2000".

*116th plenary meeting
13 December 1985*

40/109. Elimination of all forms of religious intolerance

The General Assembly,

Conscious of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

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 subsequent resolutions, in which the Assembly requested the Commission on Human Rights to consider what measures might be necessary to implement the Declaration,

Recalling also Economic and Social Council resolution 1984/39 of 24 May 1984, in which the Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust its Special Rapporteur with the preparation of a study, in accordance with the terms of Sub-Commission resolution 1983/31 of 6 September 1983,¹⁰³ on the current dimensions of the problems of intolerance and of discrimination on the grounds of religion or belief,

Taking note of the progress report thereon submitted by the Special Rapporteur to the Sub-Commission at its thirty-eighth session,¹⁰⁴

Concerned that the Special Rapporteur has not yet received sufficiently relevant or detailed information to discharge her tasks effectively,

Recalling the Seminar on the Encouragement of Understanding, Tolerance and Respect in Matters relating to Freedom of Religion or Belief, held at Geneva from 3 to 14 December 1984,

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Aware that intolerance and discrimination based on religion or belief continue to exist in many parts of the world,

Believing that further efforts are, therefore, required to promote and protect the right to freedom of thought, conscience, religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a right guaranteed to all without discrimination;

2. Urges States, therefore, in accordance with their respective constitutional systems, to provide, where they have not already done so, adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief;

3. Endorses the request of the Commission on Human Rights to the Secretary-General, contained in its resolution 1985/51 of 14 March 1985,³⁰ to prepare a compendium of the national legislation and regulations of States on the question of freedom of religion or belief, with particular regard to the measures taken to combat intolerance or discrimination in this field;

4. Encourages Governments, specialized agencies, intergovernmental organizations and non-governmental organizations to supply the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as requested, with information relevant to the study she is preparing on the current dimensions of the problems of intolerance and of discrimination on the grounds of religion or belief, so as to enable her to submit the final report to the Sub-Commission as soon as possible;

5. Takes note with appreciation of the report of the Seminar on the Encouragement of Understanding, Tolerance and Respect in Matters relating to Freedom of Religion or Belief;¹⁰⁵

6. Urges all States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief and, in this context, to examine where necessary the supervision and training of their civil servants, educators and other public officials to ensure that, in the course of their official duties, they respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

7. Invites the United Nations University and other academic and research institutions to undertake programmes and studies on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief;

8. Invites the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, in all official languages of the United Nations, and to take all appropriate measures to make the text available for use by United Nations information centres, as well as by other interested bodies;

9. Requests the Secretary-General in this context to invite interested non-governmental organizations to consider what further role they could envisage playing regarding the dissemination of the Declaration in national and local languages;

10. Requests the Commission on Human Rights to continue its consideration of measures to implement the Declaration and to report, through the Economic and Social Council, to the General Assembly at its forty-first session;

11. Decides to include in the provisional agenda of its forty-first session the item entitled "Elimination of all

¹⁰³ See E/CN.4/1984/3-E/CN.4/Sub.2/1983/43 and Corr.1 and 2, chap. XXI, sect. A.

¹⁰⁴ E/CN.4/Sub.2/1985/28.

¹⁰⁵ See A/40/361, annex.

forms of religious intolerance" and to consider the report of the Commission on Human Rights under that item.

116th plenary meeting
13 December 1985

40/110. 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 resolution 39/132 of 14 December 1984, in which it urged the Commission on Human Rights and the Sub-Commission to expedite their consideration of this question, so that the Commission could submit its views and recommendations, including a draft body of guidelines, principles and guarantees, to the General Assembly at its forty-first session, through the Economic and Social Council,

Recalling further Economic and Social Council resolution 1984/33 and decision 1984/142 of 24 May 1984,

Noting with concern that the Commission on Human Rights will not be in a position to submit its views and recommendations to the General Assembly at its forty-first session through the Economic and Social Council because the Sub-Commission has still not concluded its consideration of the draft body of guidelines, principles and guarantees,

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,

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 forty-second session, through the Economic and Social Council.

116th plenary meeting
13 December 1985

40/111. 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,⁶ the International Covenant on

Economic, Social and Cultural Rights⁷ and the International Covenant on Civil and Political Rights,⁷

Recalling also the Charter of Economic Rights and Duties of States²² and the Declaration and the Programme of Action on the Establishment of a New International Economic Order,²¹

Recalling further the Declaration on the Strengthening of International Security,¹⁰⁶ the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind,¹⁰⁷ the Declaration on the Preparation of Societies for Life in Peace,¹⁰⁸ the Declaration on the Prevention of Nuclear Catastrophe¹⁰⁹ and the Declaration on the Right of Peoples to Peace,¹¹⁰ as well as 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 and 38/73 G of 15 December 1983, on a convention on the prohibition of the use of nuclear weapons,

Bearing in mind that, in its resolution 38/75 of 15 December 1983, the General Assembly resolutely, unconditionally and for all time condemned 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,

Recalling its appeal 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,

Recalling with appreciation Commission on Human Rights resolutions 1982/7 of 19 February 1982,²⁷ 1983/43 of 9 March 1983²⁸ and 1984/28 of 12 March 1984,²⁹

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 to ensure that everyone enjoys his inherent right to life,

Recognizing that the fortieth anniversary of the United Nations — established at the conclusion of the Second World War, which had brought untold sorrow to mankind — should serve to promote the 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

¹⁰⁶ Resolution 2734 (XXV).

¹⁰⁷ Resolution 3384 (XXX).

¹⁰⁸ Resolution 33/73.

¹⁰⁹ Resolution 36/100.

¹¹⁰ Resolution 39/11, annex.

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 the 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 to do their utmost to assist in ensuring the right to life through the adoption of appropriate measures at both the national and the international level;

5. *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;

6. *Again calls upon* all States that have not yet done so to take effective measures with a view to prohibiting any propaganda for war, in particular the formulation, propounding and dissemination of propaganda for doctrines and concepts aimed at unleashing nuclear war;

7. *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;

8. *Decides* to consider this question at its forty-first session under the item entitled "Human rights and scientific and technological developments".

*116th plenary meeting
13 December 1985*

40/112. 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,

Recalling that the year 1985 marks the tenth anniversary 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 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,

Bearing in mind the relevant provisions of the Declaration on Social Progress and Development,²⁰

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,

Convinced that in the era of modern scientific and technological progress the resources of mankind and the activities of scientists should be used for the peaceful economic, social and cultural development of countries and for improvement of the living standards of all people,

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,¹¹¹

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 continue to give 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;

6. *Invites* the Commission on Human Rights to take appropriate measures to assist the Sub-Commission on Prevention of Discrimination and Protection of Minorities in preparing the study requested by the Commission in its resolutions 1982/4 of 19 February 1982²⁷ and 1984/29 of 12 March 1984;²⁹

7. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Human rights and scientific and technological developments".

*116th plenary meeting
13 December 1985*

40/113. 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, 37/190 of 18 December 1982, 38/114 of 16 December 1983 and 39/135 of 14 December 1984,

Recalling also Commission on Human Rights resolu-

¹¹¹ A/40/493 and Add.1 and 2.

tions 20 (XXXIV) of 8 March 1978,¹¹² 19 (XXXV) of 14 March 1979,¹¹³ 36 (XXXVI) of 12 March 1980,²⁵ 26 (XXXVII) of 10 March 1981,²⁶ 1982/39 of 11 March 1982,²⁷ 1983/52 of 10 March 1983,²⁸ 1984/24 of 8 March 1984²⁹ and 1985/50 of 14 March 1985,³⁰ as well as Economic and Social Council resolutions 1978/18 of 5 May 1978, 1978/40 of 1 August 1978, 1982/37 of 7 May 1982, 1983/39 of 27 May 1983, 1984/25 of 24 May 1984 and 1985/42 of 30 May 1985 and Council decisions 1980/138 of 2 May 1980 and 1981/144 of 8 May 1981,

Reaffirming, on the fortieth anniversary of the United Nations, that children's rights require special protection 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 and security,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of unsatisfactory social conditions, natural disasters, armed conflicts, exploitation, hunger and disability, and convinced that urgent and effective national and international action is called for,

Mindful of the important role of the United Nations Children's Fund and the United Nations in promoting the well-being of children and their development,

Convinced that an international convention on the rights of the child would make a positive contribution to ensuring the protection of children's rights and their well-being,

Welcoming the growing interest in the elaboration of an international convention on the rights of the child displayed by a great number of Member States representing all geographical regions and socio-political systems, as well as by governmental and non-governmental international organizations,

Noting with appreciation that further progress was made during the forty-first session of the Commission on Human Rights in the elaboration of a draft convention on the rights of the child,¹¹⁴

Noting the document entitled "Status of elaboration of a draft convention on the rights of the child", submitted by Poland,¹¹⁵

1. *Welcomes* Economic and Social Council resolution 1985/42, 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 forty-second session of the Commission with a view to completing the work on a draft convention on the rights of the child;

2. *Requests* the Commission on Human Rights to give the highest priority to, and to make every effort at its forty-second session to complete, the draft convention and to submit it, through the Economic and Social Council, to the General Assembly at its forty-first session;

3. *Invites* all Member States to offer their active contribution to the completion of the draft convention on the rights of the child at the forty-second session of the Commission on Human Rights;

4. *Requests* the Secretary-General to provide all necessary assistance to the working group in order to ensure its smooth and efficient work in the fulfilment of its important task;

5. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Question of a convention on the rights of the child".

*116th plenary meeting
13 December 1985*

40/114. Indivisibility and interdependence of economic, social, cultural, civil and political rights

The General Assembly,

Mindful of the obligations of States under the Charter of the United Nations to promote social progress and better standards of life in larger freedom and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling the Universal Declaration of Human Rights,⁶ as well as the International Covenant on Economic, Social and Cultural Rights⁷ and the International Covenant on Civil and Political Rights,⁷

Acknowledging that the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights have created new standards and obligations to which States should conform,

Recalling that 1986 marks the twentieth anniversary of the adoption of the International Covenants on Human Rights,²⁴

Also recalling the Declaration on Social Progress and Development, based on the Charter of the United Nations and solemnly proclaimed on 11 December 1969,⁸⁵

Taking note of the 1985 Report on the World Social Situation.⁸⁷

Reaffirming the provisions of its resolution 32/130 of 16 December 1977 that all human rights and fundamental freedoms are indivisible and interdependent and that the promotion and protection of one category of rights can never exempt or excuse States from the promotion and protection of the other rights,

Convinced that the full realization of civil and political rights is inseparably linked with the enjoyment of economic, social and cultural rights,

Convinced also that the achievement of lasting progress in the implementation of human rights is dependent upon sound and effective national and international policies of economic, social and political development,

Desirous of removing all obstacles to the full realization of human rights, in particular colonialism, neo-colonialism, racism, racial discrimination in all its forms, *apartheid*, foreign intervention, occupation, aggression, discrimination and domination,

Recognizing the fundamental rights of every people to exercise full sovereignty over its natural wealth and resources,

Recognizing also that the realization of the right to development could help to promote the enjoyment of economic, social and cultural rights,

Reaffirming that there is a close relationship between disarmament and development, that progress in the field of disarmament could considerably promote progress in the field of development and that resources released through disarmament measures would contribute to the economic and social development and well-being of all peoples, in particular those of the developing countries,

Recalling Commission on Human Rights resolution 1985/42 of 14 March 1985, in which the Commission stated that the promotion and implementation of economic, social and cultural rights and the obstacles to their realization have not received sufficient attention within the framework of United Nations organs,³⁰

Requesting the Secretary-General to enhance his efforts under the programme of advisory services to States in the

¹¹² See *Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34)*, chap. XXVI, sect. A.

¹¹³ *Ibid.*, 1979, *Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

¹¹⁴ *Ibid.*, 1985, *Supplement No. 2 (E/1985/22)*, chap. XIII.

¹¹⁵ A/C.3/40/3 and Corr.1.

implementation of the International Covenants on Human Rights,

1. *Recognizes* that equal attention should be given to the implementation, promotion and protection of economic, social and cultural rights and civil and political rights;
2. *Appeals* to all States, on the occasion of the twentieth anniversary of the adoption of the International Covenants on Human Rights, to pursue policies directed to the full implementation of the rights contained therein;
3. *Requests* the Commission on Human Rights to continue its consideration of the realization of economic, social and cultural rights and to submit to the General Assembly at its forty-second session, through the Economic and Social Council, its views and recommendations on these human rights;
4. *Welcomes* the decision of the Economic and Social Council, in its resolution 1985/17 of 28 May 1985, to establish the Committee on Economic, Social and Cultural Rights, which will be entrusted from 1987 on with the important task of overseeing the implementation of the International Covenant on Economic, Social and Cultural Rights;
5. *Encourages* Governments to give careful consideration to nominations for membership of the Committee on Economic, Social and Cultural Rights in due recognition of the status of Committee members as experts with recognized competence in the field of human rights, serving in their personal capacity;
6. *Urges* the Secretary-General to take determined steps, within existing resources, to give publicity to the Committee on Economic, Social and Cultural Rights and to ensure that it receives full administrative support in order to enable it to commence its functions effectively;
7. *Decides* to convene, on 16 December 1986, during its forty-first session, a commemorative plenary meeting of the General Assembly devoted to the twentieth anniversary of the adoption of the International Covenants on Human Rights;
8. *Decides also* to discuss at its forty-first session, under the item entitled "International Covenants on Human Rights", the question of the indivisibility and interdependence of economic, social, cultural, civil and political rights.

*116th plenary meeting
13 December 1985*

40/115. 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, 37/191 of 18 December 1982, 38/116 and 38/117 of 16 December 1983, and 39/136 and 39/138 of 14 December 1984,

Taking note of the report of the Secretary-General¹¹⁶ on the status of the International Covenant on Economic, Social and Cultural Rights,⁷ the International Covenant on Civil and Political Rights⁷ and the Optional Protocol to the International Covenant on Civil and Political Rights,⁷

Noting with appreciation that, following its appeal, more Member States have acceded to the International Covenants on Human Rights,²⁴

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,

Calling attention to the twentieth anniversary, in 1986, of the adoption of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

1. *Takes note with appreciation* of the report of the Human Rights Committee on its twenty-third, twenty-fourth and twenty-fifth sessions,¹¹⁷ and expresses its satisfaction with 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 that have submitted their reports to the Human Rights Committee under article 40 of the Covenant and urges States parties that have not yet done so to submit their reports 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;
5. *Notes with satisfaction* 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 the future;
6. *Again urges* 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. *Stresses* the importance of avoiding the erosion of human rights by derogation and underlines the necessity of strict observance of the agreed conditions and procedures for derogation;
10. *Recommends* to States parties that they continually review whether any reservation made in respect of the provisions of the International Covenants on Human Rights should be upheld;

¹¹⁶ A/40/605.

¹¹⁷ Official Records of the General Assembly, Fortieth Session, Supplement No. 40 (A/40/40).

11. *Urges* States parties to continue to pay active attention to the protection and promotion of civil and political rights, as well as economic, social and cultural rights;

12. *Welcomes* the decision of the Economic and Social Council, in its resolution 1985/17 of 28 May 1985, to establish the Committee on Economic, Social and Cultural Rights, which will be entrusted from 1987 on with the important task of overseeing the implementation of the International Covenant on Economic, Social and Cultural Rights;

13. *Requests* the Secretary-General to keep the Human Rights Committee informed of the relevant activities of the General Assembly, the Economic and Social Council, 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;

14. *Also requests* the Secretary-General to submit to the General Assembly at its forty-first 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;

15. *Again urges* the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps within existing resources to give more publicity to the work of the Committee and, similarly, to the work of the Economic and Social Council and to improve administrative and related arrangements to enable them to carry out their respective functions effectively under the International Covenants on Human Rights;

16. *Welcomes* the progress already made towards the publication of the official public records of the Human Rights Committee in bound volumes and looks forward to receiving in the near future the volumes covering the first two sessions;

17. *Encourages* all Governments to publish the texts 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 in as many languages as possible and to distribute them and make them known as widely as possible in their territories;

18. *Requests* the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Economic and Social Council in the implementation of their respective functions under the International Covenants on Human Rights.

*116th plenary meeting
13 December 1985*

40/116. Reporting obligations of States parties to United Nations conventions on human rights

The General Assembly,

Recalling its resolution 37/44 of 3 December 1982, in which it noted with concern the critical situation with regard to overdue reports under the International Convention on the Elimination of All Forms of Racial Discrimi-

nation¹¹ and affirmed the necessity of considering that situation within the overall framework of all reporting obligations of States parties to United Nations conventions on human rights,

Recalling also its resolution 38/117 of 16 December 1983, in which it noted that many delays were also occurring in the submission of reports under the International Covenant on Economic, Social and Cultural Rights,⁷ as indicated by the Secretary-General in his first report on the overall situation with regard to reporting obligations,¹¹⁸

Recalling further its resolution 39/138 of 14 December 1984, in which the General Assembly, having considered the report of the meeting of the Chairmen of the supervisory bodies entrusted with the consideration of reports submitted under United Nations conventions on human rights and of the Commission on Human Rights, held at Geneva on 16 and 17 August 1984,¹¹⁹ expressed its concern about the problems experienced by those bodies in the functioning of the reporting procedures and its conviction of the need to improve the existing reporting system in order to resolve the problems experienced both by those bodies and by the States parties to the various conventions on human rights,

Having considered the report of the Secretary-General containing updated information as at 1 June 1985 on the general situation of the submission of reports of States parties to United Nations conventions on human rights¹²⁰ and a compilation of the general guidelines elaborated by the various human rights bodies under the human rights instruments containing reporting obligations,¹²¹

Noting with deep concern that the number of reports overdue from States parties to at least one of the conventions on human rights has increased seriously and may even increase further unless appropriate steps are taken to ascertain better the root causes of the situation and to devise appropriate types of action that can progressively remove the difficulties being experienced,

Recalling, in this respect, Commission on Human Rights resolution 1985/26 of 11 March 1985³⁰ concerning the programme of advisory services in the field of human rights,¹²² and also resolution 1985/45 of 14 March 1985,³⁰ in which the Commission, having considered the status of the International Covenants on Human Rights,²⁴ requested the Secretary-General to consider ways and means of making advice and assistance available to States parties to these instruments in the preparation of their reports,

Recognizing once again and with deeper concern the burden that several coexisting reporting systems place upon Member States that are parties to various conventions, which in future may become more acute in relation to the ratification of other conventions,

Reiterating the importance it attaches to the fulfilment of obligations under international conventions on human rights, including reporting obligations,

1. *Takes note with appreciation* of the very comprehensive second report of the Secretary-General on reporting obligations of States parties to United Nations conventions on human rights, which contains:

(a) Updated information on the general situation of the submission of reports of States parties to the five conventions currently in force;

(b) Consideration of and suggestions on the question of consolidating the guidelines of the supervisory bodies

¹¹⁸ A/38/393.

¹¹⁹ A/39/484, annex.

¹²⁰ A/40/600, sect. II.

¹²¹ A/40/600/Add.1, annex.

¹²² See E/CN.4/1985/30.

entrusted with the consideration of the reports of States parties on the implementation of the conventions;

(c) A list of articles dealing with related rights under the various conventions and a compilation of the current guidelines;

2. *Expresses its deep concern* about the alarming number of reports overdue from many States parties to the international conventions on human rights,¹²⁰ which negatively affects the reporting systems of those conventions, in particular the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights;

3. *Expresses particular concern* that some States that are parties to four or to five conventions seem to have serious difficulties in submitting their reports, as indicated by the repeated reminders addressed to them by the Secretary-General at the request of the competent supervisory bodies;¹²⁰

4. *Takes note with interest* of Economic and Social Council decision 1985/132 of 28 May 1985, by which, while maintaining the first six-year cycle of the reporting procedures on the implementation of the International Covenant on Economic, Social and Cultural Rights, the Council decided to establish a nine-year period for the subsequent cycles, and considers this decision a first step towards the necessary lightening of the heavy burden of reporting obligations placed upon the States parties to that Covenant;

5. *Supports* the request addressed to the Secretary-General by the Commission on Human Rights, in its resolution 1985/45, concerning the provision of practical assistance to States, under the programme of advisory services in the field of human rights, in the preparation of their reports under United Nations conventions;

6. *Commends* the United Nations Institute for Training and Research for having organized in the Caribbean region, at the suggestion of the Centre for Human Rights and with its close co-operation, a training course on the preparation and submission of reports under international conventions on human rights, and expresses the hope that other courses of that type may be organized in Africa and Asia;

7. *Believes* that new timely steps are needed in order to ascertain better the most relevant causes of the present situation regarding the non-submission of reports and to devise feasible types of action intended to remove the difficulties being encountered;

8. *Requests* the Secretary-General, to this end, to send a note verbale to all States parties to the five United Nations conventions on human rights having at 1 February 1986 more than two reports overdue, inviting them to indicate, if they so wish, the reasons for their difficulties in complying with the reporting obligations with regard to the conventions under which their reports are overdue and their interest, if any, in technical advice and assistance with a view to better fulfilling their reporting obligations;

9. *Invites* the supervisory bodies entrusted with the consideration of reports submitted under all conventions currently in force to give particular attention, during the usual consideration of the action taken by the General Assembly on their annual reports, to the report of the Secretary-General¹²³ and to the present resolution;

10. *Recommends* to the States parties to the International Convention on the Elimination of All Forms of Racial Discrimination that, at their next meeting, they

consider suggesting to the Committee on the Elimination of Racial Discrimination the adoption, as a general rule, of the practice already being followed by the Committee of considering two successive reports in one single text;

11. *Requests* the Secretary-General to submit to the General Assembly at its forty-first session a report containing updated information on the general situation with regard to overdue reports, an assessment of the operational and financial implications of increasing training activities in this field and the results of the request addressed to him in paragraph 8 above;

12. *Decides* to consider at its forty-first session the convening, in 1987, of another meeting of the Chairmen of the supervisory bodies, including the Committee on the Elimination of Discrimination against Women and, if already established, the committee against torture, in order to consider jointly the report of the Secretary-General requested in paragraph 11 above;

13. *Fully concurs* with the considerations and suggestions of the Secretary-General on the question of consolidating the guidelines of the supervisory bodies entrusted with the consideration of reports of the States parties on the implementation of the conventions on human rights;

14. *Takes note with appreciation* of the compilation of the general guidelines elaborated by the various supervisory bodies and of the list of articles dealing with related rights under the five conventions,¹²³ both of which are very helpful for States parties in the preparation of their reports;

15. *Decides* to include in the provisional agenda of its forty-first session a separate item entitled "Reporting obligations of States parties to the United Nations conventions on human rights".

116th plenary meeting
13 December 1985

40/117. Second International Conference on Assistance to Refugees in Africa

The General Assembly,

Recalling its resolutions 37/197 of 18 December 1982, 38/120 of 16 December 1983 and 39/139 of 14 December 1984 relating to the Second International Conference on Assistance to Refugees in Africa,

Having considered the report of the Secretary-General on assistance to refugees in Africa,¹²⁴

Mindful that the fundamental purpose of the Declaration and Programme of Action adopted by the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984,¹²⁵ was to launch collective action by the international community aimed at achieving lasting solutions,

Gravely concerned at the persistent and serious problem of large numbers of refugees on the African continent,

Aware of the heavy burden borne by African countries of asylum on account of the presence of these refugees and its consequences for their economic and social development, and of the heavy sacrifices made by them, despite their limited resources,

Deeply concerned that the refugee situation has been severely affected by the critical economic situation in Africa, as well as by drought and other natural disasters,

Recognizing that the efforts of the countries of asylum require the concerted support of the international commu-

¹²³ A/40/600 and Add.1.

¹²⁴ A/40/425.

¹²⁵ A/39/402, annex.

nity to meet the needs for emergency relief and for medium- and long-term development aid,

Taking note of the declarations and resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-first ordinary session, held at Addis Ababa from 18 to 20 July 1985,¹²⁶ and of the resolutions adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985, in particular resolution CM/Res.989 (XLII) on the situation of refugees in Africa,¹²⁷

Emphasizing the collective responsibility of sharing the urgent and overwhelming burden of the problem of African refugees through effective mobilization of additional 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 rehabilitating voluntary returnees,

Reiterating the vital importance of the complementarity between refugee aid and development assistance,

Desirous of ensuring the speedy implementation of the recommendations and pledges made at the Second International Conference on Assistance to Refugees in Africa,

1. *Expresses its deep appreciation* to African host countries, which are the biggest donors, for their generous contribution and continuous efforts to alleviate the plight of refugees in spite of their critical economic situation;

2. *Reiterates its appreciation* to all donor countries, the organizations and specialized agencies of the United Nations system, regional organizations and intergovernmental and non-governmental organizations for their initial support and response to the projects submitted to the Second International Conference on Assistance to Refugees in Africa;¹²⁷

3. *Urges* the international community to maintain the momentum created by the Conference and to translate into reality the projects submitted as well as the principles of the Declaration and Programme of Action adopted by the Conference;

4. *Emphasizes* the vital importance of the complementarity of refugee aid and development assistance and of achieving durable solutions to the problems of refugees in Africa and the necessity of providing assistance for the strengthening of the social and economic infrastructures of African countries receiving refugees and returnees;

5. *Requests* the United Nations High Commissioner for Refugees to continue to keep the situation of refugees in Africa under constant review so as to ensure that adequate assistance is available for care and maintenance and for bringing about durable solutions;

6. *Requests* the United Nations Development Programme to increase its efforts to mobilize additional resources for refugee-related development projects and, in general, to promote and co-ordinate with the host countries and the donor community the integration of refugee-related activities into national development planning;

7. *Calls upon* all Member States and organizations of the United Nations system concerned, as well as relevant regional, intergovernmental and non-governmental organizations, to lend their support to the speedy implementation of the recommendations and pledges made at the Conference;

8. *Requests* the Secretary-General, in accordance with the Declaration and Programme of Action, to monitor, in consultation and close co-operation with the Organization of African Unity, the United Nations High Commissioner for Refugees and the United Nations Development Programme, the follow-up to the Conference;

9. *Also requests* the Secretary-General to report to the General Assembly at its forty-first session, through the Economic and Social Council, on the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/118. 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,¹²⁸ as well as the report of the Executive Committee of the Programme of the High Commissioner on the work of its thirty-sixth session,¹²⁹ and having heard the statement made by the High Commissioner on 11 November 1985,¹³⁰

Recalling its resolution 39/140 of 14 December 1984,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High Commissioner,

Deeply concerned that refugees and displaced persons of concern to the High Commissioner continue to face distressingly serious problems in all parts of the world,

Particularly concerned that in various regions the safety and welfare of refugees and asylum-seekers continue to be seriously jeopardized on account of military or armed attacks, acts of piracy and other forms of brutality,

Stressing the fundamental importance of the High Commissioner's function to provide international protection and the need for States to co-operate with the High Commissioner in the exercise of this essential function, particularly in view of the continued and persistent violations of the basic rights of refugees and asylum-seekers,

Emphasizing that voluntary repatriation or return remains the most desirable solution to the problems of refugees and displaced persons of concern to the High Commissioner,

Emphasizing also the importance for the international community to continue to provide assistance and resettlement opportunities for those refugees for whom no other durable solution may be in sight, particularly in regions where countries of first refuge continue generously to receive refugees arriving by land or by sea,

Commending States that, despite severe economic and developmental problems of their own, continue to admit large numbers of refugees and displaced persons into their territories,

Noting with deep appreciation the valuable support extended by many Governments to the High Commissioner in the performance of his humanitarian tasks,

Deeply concerned about the shortage of funds faced by the High Commissioner and its consequences for his ability to fulfil his mandate,

Noting with satisfaction the efforts of the High Commissioner, in the field of international protection, to address

¹²⁶ See A/40/666, annex I.

¹²⁷ See A/40/425, annexes I-III.

¹²⁸ *Official Records of the General Assembly, Fortieth Session, Supplement No. 12 (A/40/12).*

¹²⁹ *Ibid.*, Supplement No. 12A (A/40/12/Add.1).

¹³⁰ *Ibid.*, Fortieth Session, Third Committee, 37th meeting, paras. 2-17.

the special problems of refugee and displaced women and children resulting from their vulnerable position, which in many cases exposes them to a variety of difficult situations affecting their physical and legal protection as well as their psychological and material well-being.

Noting with satisfaction and encouraging the continuing and increasing co-operation between the Office of the High Commissioner and other bodies of the United Nations system, as well as intergovernmental and non-governmental organizations,

Desirous of ensuring the speedy implementation of the recommendations and pledges made at the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984,¹³¹

1. *Commends* the United Nations High Commissioner for Refugees and his staff for the dedicated and efficient manner in which they discharge their responsibilities;

2. *Strongly reaffirms* the fundamental nature of the High Commissioner's function to provide international protection and the need for Governments to continue to co-operate fully with his Office in order to facilitate the effective exercise of this function, in particular by acceding to and implementing the relevant international and regional refugee instruments and by scrupulously observing the principles of asylum and *non-refoulement*;

3. *Condemns* all violations of the rights and safety of refugees and asylum-seekers, in particular those perpetrated by military or armed attacks against refugee camps and settlements and other forms of brutality and by the failure to rescue asylum-seekers in distress at sea;

4. *Welcomes* the fact that arrangements introduced by the High Commissioner have increased significantly the rescue of asylum-seekers in distress at sea and that preventive measures have resulted in a decline in the number of refugee boats attacked by pirates;

5. *Urges* all States, in co-operation with the Office of the High Commissioner and other competent international bodies, to take all measures necessary to ensure the safety of refugees and asylum-seekers;

6. *Also urges* all States to support the High Commissioner in his efforts to achieve durable solutions to the problem of refugees and displaced persons of concern to his Office, primarily through voluntary repatriation or return, including assistance to returnees, as appropriate, or, wherever appropriate, through integration into countries of asylum or resettlement in third countries;

7. *Endorses* the conclusions on voluntary repatriation adopted by the Executive Committee of the Programme of the High Commissioner at its thirty-sixth session¹²⁹ and urges States to extend their full co-operation to the High Commissioner to that effect;

8. *Expresses its warm appreciation* for the work done by the High Commissioner to put into practice the concept of development-oriented assistance to refugees and returnees, as initiated at the Second International Conference on Assistance to Refugees in Africa, and urges him to continue that process, wherever appropriate, in co-operation with the World Bank, the United Nations Development Programme and other organizations, and, further, urges Governments to support these efforts;

9. *Commends* the High Commissioner's programmes for refugee and displaced women, especially those undertaken to secure their protection and to help them to become self-sufficient through educational, vocational and income-generating projects;

10. *Expresses deep appreciation* for the valuable material and humanitarian response of receiving countries, in particular those developing countries that, despite limited resources, continue to admit, on a permanent or temporary basis, large numbers of refugees and asylum-seekers, and, reaffirming the principle of international solidarity and burden-sharing, urges the international community to assist receiving countries in order to enable them to cope with the additional burden created by the presence of those refugees and asylum-seekers;

11. *Commends* all States that facilitate the attainment of durable solutions and contribute generously to the High Commissioner's programmes;

12. *Expresses deep appreciation* for the valuable co-operation between the Office of the High Commissioner and intergovernmental and non-governmental agencies;

13. *Calls upon* all States to promote durable solutions and to contribute generously to the High Commissioner's humanitarian programmes in order to assist refugees, returnees and displaced persons of concern to the High Commissioner in a spirit of international solidarity and burden-sharing.

*116th plenary meeting
13 December 1985*

40/119. Expression of appreciation to the United Nations High Commissioner for Refugees

The General Assembly,

Noting with deep regret that the United Nations High Commissioner for Refugees will shortly be relinquishing his duties,

Recognizing the significant progress achieved under his guidance in promoting humanitarian solutions to the problems of refugees and displaced persons in various parts of the world,

Considering his unrelenting efforts to alleviate human suffering through the special humanitarian tasks entrusted to him in addition to the original functions of his Office,

1. *Expresses its sincere appreciation and thanks* to Mr. Poul Hartling for the effective and dedicated manner in which he has performed his functions as United Nations High Commissioner for Refugees;

2. *Extends its good wishes* to him for success in his future undertakings.

*116th plenary meeting
13 December 1985*

40/120. Preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances

The General Assembly,

Recalling its resolutions 33/168 of 20 December 1978, 35/195 of 15 December 1980, 36/132 of 14 December 1981, 36/168 of 16 December 1981, 37/168 of 17 December 1982, 37/198 of 18 December 1982, 38/93 and 38/122 of 16 December 1983, 39/141 and 39/143 of 14 December 1984 and other relevant provisions,

Recalling also the Declaration on the Control of Drug Trafficking and Drug Abuse of 14 December 1984,¹³² in which it is stated, *inter alia*, that the eradication of trafficking in narcotic drugs is the collective responsibility of all States and that States shall utilize the legal instruments against the illicit production of and demand for, abuse of

¹³¹ See A/39/402 and Add.1 and 2.

¹³² Resolution 39/142, annex.

and illicit traffic in drugs and adopt additional measures to counter new manifestations of this crime,

Bearing in mind the Quito Declaration against Traffic in Narcotic Drugs of 11 August 1984,¹³³ the New York Declaration against Drug Trafficking and the Illicit Use of Drugs of 1 October 1984¹³⁴ and the Lima Declaration of 29 July 1985,¹³⁵ in which profound alarm was expressed at the seriousness of the problem,

Noting the report entitled "Options for individual and collective action to intensify the fight against drug abuse" that emerged from the Bonn Summit held from 2 to 4 May 1985,

Noting also the joint statement on the international problem of drug abuse and drug trafficking issued on 9 July 1985 by the Ministers for Foreign Affairs of the States members of the Association of South-East Asian Nations, which praised the ongoing efforts of the international community in preparing the draft of a new convention against illicit traffic in narcotic drugs and psychotropic substances,

Taking into account the fact that, at the Conference of Foreign Ministers of the Non-Aligned Countries held at Luanda from 4 to 7 September 1985, the Ministers expressed deep concern over the growing problem of drug abuse and illicit trafficking in narcotic drugs and renewed their support for the efforts being undertaken by the international community to combat it,¹³⁶

Taking into account also the paragraphs on drug abuse and illicit trafficking in drugs in the communiqué adopted at the meeting of Heads of Governments of Commonwealth States held at Nassau from 16 to 22 October 1985, in which the hope was expressed that action would be expedited on the related proposed new convention,¹³⁷

Recalling with appreciation the thorough consideration given to drug abuse and trafficking issues by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in particular its resolution 2, in which the Congress recommended that the preparation of a new international instrument against illicit drug traffic should be considered as an absolute priority,¹³⁸ and the Milan Plan of Action, especially paragraph 5 (g) thereof,⁶⁰

Deeply concerned by the constant upward trend in illicit traffic and drug abuse verified and reported by an increasing number of Member States, which poses serious dangers for individual human rights and for the economic, cultural and political structures of society,

Reaffirming its conviction that the magnitude and complexity reached in illicit drug trafficking and its grave consequences emphasize the urgent need to carry out the mandate given by the General Assembly, in its resolution 39/141, to the Commission on Narcotic Drugs, through the Economic and Social Council, to initiate, as a matter of priority, the preparation of a draft convention against illicit traffic in narcotic drugs which considers the various aspects of the problem as a whole, in particular those not envisaged in existing international instruments,

Welcoming the statement made by the Secretary-General before the Economic and Social Council on 24 May 1985,¹³⁹ in which he proposed the convening in 1987 of a world conference at the ministerial level to deal with all aspects of drug abuse, and his note on drug abuse control of 22 October 1985,¹⁴⁰

Recognizing the valuable contribution made by existing international legal instruments in their specialized areas, including the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961,¹⁴¹ and the Convention on Psychotropic Substances of 1971,¹⁴²

Expressing deep satisfaction with Commission on Narcotic Drugs resolution 1 (XXXI) of 20 February 1985,¹⁴³ approved by the Economic and Social Council in its decision 1985/130 of 28 May 1985,

1. *Expresses its appreciation* to Member States for their response to the request made by the Secretary-General in accordance with paragraph 1 of Commission on Narcotic Drugs resolution 1 (XXXI) and urges those Member States that have not yet done so to comply with the request forthwith;

2. *Commends* the Secretary-General for his effective response to the request set forth in paragraphs 1 and 2 of Commission on Narcotic Drugs resolution 1 (XXXI) and for the preparation of his comprehensive report,¹⁴⁴ which will contribute to the preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances, as mandated by the General Assembly in its resolution 39/141;

3. *Requests* the Economic and Social Council, in accordance with General Assembly resolution 39/141 and resolution 1 (XXXI) of the Commission on Narcotic Drugs, to instruct the Commission to decide, following consideration at its ninth special session of the report of the Secretary-General, on the elements that could be included in the convention and to request the Secretary-General to prepare a draft on the basis of those elements, and to submit a progress report, including completed elements of the draft, to the Commission for consideration at its thirty-second session;

4. *Requests* the Secretary-General to submit to the International Conference on Drug Abuse and Illicit Trafficking, to be held in 1987,¹⁴⁵ a report on progress made towards completing a new convention against drug trafficking;

5. *Emphasizes* the importance of resolution 2 adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, approved by the General Assembly in its resolution 40/32 of 29 November 1985, in which the Congress recommended that absolute priority should be accorded to the preparation of a new international instrument against illicit drug traffic, as well as the importance of paragraph 5 (g) of the Milan Plan of Action;

6. *Recommends* that the new convention should take into account the interests of all countries in order that it may be an effective, operative instrument in the struggle against illicit drug trafficking;

7. *Requests* the Commission on Narcotic Drugs to report to the Economic and Social Council at its first regular session of 1986 on the results achieved in this respect during its ninth special session;

8. *Urges once again* all States that have not yet done so to adhere to and ratify the Single Convention on Narcotic Drugs of 1961, the 1972 Protocol Amending the Single

¹³³ A/39/407, annex.

¹³⁴ A/39/551 and Corr.1 and 2, annex.

¹³⁵ A/40/544, annex.

¹³⁶ See A/40/854-S/17610 and Corr.1, annex II, sect. XXVIII.

¹³⁷ See A/40/817, annex, para. 67.

¹³⁸ See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. E.

¹³⁹ A/C.3/40/8, annex.

¹⁴⁰ A/C.3/40/8.

¹⁴¹ United Nations, *Treaty Series*, vol. 976, No. 14152, p. 106.

¹⁴² *Ibid.*, vol. 1019, No. 14956, p. 176.

¹⁴³ See *Official Records of the Economic and Social Council, 1985, Supplement No. 3 (E/1985/23 and Corr.1)*, chap. IX, sect. A.

¹⁴⁴ E/CN.7/1986/2 and Corr.1 and Add.1-3.

¹⁴⁵ See resolution 40/122.

Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971;

9. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/121. International campaign against traffic in drugs

The General Assembly,

Recalling its resolutions 35/195 of 15 December 1980, 36/168 of 16 December 1981, 37/168 of 17 December 1982, 37/198 of 18 December 1982 and 38/98 and 38/122 of 16 December 1983, as well as its resolutions 36/132 of 14 December 1981, 38/93 of 16 December 1983, 39/141 and 39/143 of 14 December 1984 and other relevant provisions,

Recalling also its resolution 39/142 of 14 December 1984, by which it adopted the Declaration on the Control of Drug Trafficking and Drug Abuse, which describes drug trafficking and drug abuse as an international criminal activity whose total elimination demands urgent attention and maximum priority,

Taking note of the reiterated concern expressed by the Secretary-General in his report on the work of the Organization,¹⁴⁶ in which he recognizes that the drug problem can no longer be regarded as a merely social, and largely domestic, concern and proposes that an effective range of strategies be developed to meet the challenge,

Taking note once again of the provisions of the Quito Declaration against Traffic in Narcotic Drugs of 11 August 1984,¹³³ the New York Declaration against Drug Trafficking and the Illicit Use of Drugs of 1 October 1984,¹³⁴ in which drug trafficking is considered to be a crime against humanity, and the Lima Declaration of 29 July 1985,¹³⁵ which draws attention to the need for integrated, effective and urgent regional and international action supported by the resources necessary for successfully overcoming the problem,

Commending the work of the Commission on Narcotic Drugs and the International Narcotics Control Board, as well as the positive action of the United Nations Fund for Drug Abuse Control in allocating funds to integrated rural development programmes, including substitution of illegal crops in the most severely affected areas, and their efforts to achieve greater law enforcement,

Considering that, despite the efforts made, the situation continues to deteriorate and the international community is confronted with transnational criminal organizations whose activities, including terrorist practices, constitute a threat to the well-being of peoples, the stability of democratic institutions and the sovereignty of States,

Acknowledging once more that the eradication of this scourge calls for integrated action which will simultaneously tackle the problems of reduction and control of illicit demand, production, distribution and marketing, and that action designed to eliminate illicit drug cultivation and trafficking should be accompanied, when necessary, by economic and social development programmes, including crop substitution, in the affected areas,

Endorsing the statement made by the Secretary-General before the Economic and Social Council on 24 May 1985,¹³⁹ referred to in Council decision 1985/131 of 28 May 1985, on the need for a new United Nations offensive

against drug trafficking and drug abuse, and his proposal to convene a world conference at the ministerial level in 1987,

Aware of the decision of the Secretary-General to convene an interregional meeting of heads of national drug law enforcement agencies in 1986, in accordance with paragraph 10 of General Assembly resolution 39/143,

Conscious of the contribution that this interregional meeting could make to bilateral and multilateral efforts, including proposals that might be taken into account in the preparation of a draft convention against illicit traffic in narcotic drugs and at the International Conference on Drug Abuse and Illicit Trafficking to be held in 1987,¹⁴⁵

Acknowledging the important role that Member States and relevant bodies of the United Nations system must play in order to ensure that the interregional meeting produces significant results in the continuing fight against illicit drug trafficking and drug abuse,

Acknowledging once more that law enforcement officials represent an important line of defence against organized crime, the illegal arms trade and other forms of criminal activity associated with illicit traffic in drugs that threaten the stability and security of many States,

Reiterating the importance of ratifying or acceding to international treaties on the control of narcotic drugs and psychotropic substances,

1. *Takes note* of the reports of the Secretary-General;¹⁴⁷

2. *Reaffirms* that maximum priority must be given to the fight against the illicit production of, demand for and traffic in drugs and related international criminal activities, such as the illegal arms trade and terrorist practices, which also have an adverse effect not only on the well-being of peoples but also on the stability of institutions, as well as posing a threat to the sovereignty of States;

3. *Acknowledges* the work of bodies of the United Nations system, in particular the drug-control bodies, in assisting efforts and initiatives designed to increase international co-operation, and recommends that this work be intensified;

4. *Encourages* Member States and the relevant bodies of the United Nations system to provide technical assistance to the developing countries most affected by the illicit production of, traffic in and use of drugs and psychotropic substances, in order to combat the problem;

5. *Expresses* its appreciation to the Secretary-General for his proposal to convene in 1987, at the ministerial level, an International Conference on Drug Abuse and Illicit Trafficking to deal with all aspects of drug abuse;

6. *Takes note with satisfaction* of the decision of the Secretary-General to hold an interregional meeting of heads of national drug law enforcement agencies at Vienna from 28 July to 1 August 1986, in accordance with paragraph 10 of General Assembly resolution 39/143;

7. *Recommends* to the Commission on Narcotic Drugs that it advise the interregional meeting to examine in depth the most important aspects of the problem, especially those that would enhance ongoing bilateral and multilateral efforts, in particular the preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances and the proposed International Conference on Drug Abuse and Illicit Trafficking, to be convened by the Secretary-General at the ministerial level, and to recommend action on, *inter alia*:

(a) Extradition;

¹⁴⁶ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 1 (A/40/1)*.

¹⁴⁷ A/40/771 and A/40/772.

(b) Mechanisms that would enhance interregional co-ordination and co-operation on a permanent basis;

(c) Modalities of ensuring rapid and secure means of communication between law enforcement agencies at the national, regional and international levels;

(d) Techniques of controlled delivery;

(e) Measures to reduce the vulnerability of States affected by the transit of illicit drugs;

8. *Encourages* Member States to be represented at the interregional meeting by officials at the decision-making level of national organizations concerned with the suppression of illicit traffic in drugs and psychotropic substances;

9. *Invites* the competent bodies within the United Nations system, as well as the International Criminal Police Organization and the Customs Co-operation Council, to provide technical expertise and to participate actively in the interregional meeting;

10. *Requests* the Secretary-General to submit to the General Assembly at its forty-first session an interim report containing the recommendations of the interregional meeting of heads of national drug law enforcement agencies and to submit a final report to the Economic and Social Council, through the Commission on Narcotic Drugs at its next session;

11. *Reiterates its request* to the Secretary-General to continue to make the necessary arrangements for holding, within the framework of advisory services, interregional seminars on the experience gained within the United Nations system in integrated rural development programmes that include the substitution of illegal crops in affected areas, particularly in the Andean region;

12. *Acknowledges* the vital role played by the United Nations Fund for Drug Abuse Control and calls upon Member States to contribute or to continue contributing to the Fund;

13. *Calls upon* the specialized agencies and all relevant bodies of the United Nations system actively to implement the present resolution and requests the Secretary-General to report thereon to the General Assembly at its forty-first session;

14. *Decides* to include in the provisional agenda of its forty-first session the item entitled "International campaign against traffic in drugs".

*116th plenary meeting
13 December 1985*

40/122. International Conference on Drug Abuse and Illicit Trafficking

The General Assembly,

Conscious of the common concern that exists among nations of the world regarding the awesome and vicious effects of drug abuse and illicit trafficking, which threaten the stability of nations and the well-being of mankind and which therefore constitute a grave threat to the security and development of many countries,

Aware of the dangers posed for producer, consumer and transit countries alike by the illegal cultivation, production and manufacture of and demand for drugs and by their illicit traffic,

Recalling its resolutions 39/141, 39/142 and 39/143 of 14 December 1984 and relevant resolutions and decisions of the Economic and Social Council and the Commission on Narcotic Drugs in the international campaign against

traffic in and abuse of narcotic drugs and psychotropic substances,

Mindful of relevant regional and other initiatives, such as the Declaration of Principle to Combat the Abuse of Narcotic Drugs adopted by the Association of South-East Asian Nations on 26 June 1976, the Quito Declaration against Traffic in Narcotic Drugs of 11 August 1984,¹³³ the New York Declaration against Drug Trafficking and the Illicit Use of Drugs of 1 October 1984,¹³⁴ the report entitled "Options for individual and collective action to intensify the fight against drug abuse" issued at the Bonn Summit held from 2 to 4 May 1985, the joint statement on the international problem of drug abuse and drug trafficking issued on 9 July 1985 by the Ministers for Foreign Affairs of the States members of the Association of South-East Asian Nations, the Lima Declaration of 29 July 1985,¹³⁵ the concern expressed at the Conference of Foreign Ministers of the Non-Aligned Countries held at Luanda from 4 to 7 September 1985,¹³⁶ and the communiqué adopted at the meeting of Heads of Governments of Commonwealth States, held at Nassau from 16 to 22 October 1985,¹⁴⁸ as well as the First Ladies' Conferences on Drug Abuse held in Washington in April 1985 and in New York in October 1985,

Recognizing the importance of adherence to existing international legal instruments, including the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961,¹⁴¹ and the Convention on Psychotropic Substances of 1971,¹⁴² and the need to encourage Member States that have not yet done so to ratify these instruments and the need for States that have already ratified to implement fully their obligations under these instruments,

Noting the relevant provisions of the International Drug Abuse Control Strategy¹⁴⁹ adopted by the General Assembly at its thirty-sixth session,¹⁵⁰

Mindful of the special responsibilities of the United Nations and the international community to seek viable solutions to the growing scourge of drug abuse and illicit trafficking,

Noting the work of the Commission on Narcotic Drugs towards the preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances,

Noting with appreciation the statement made by the Secretary-General before the Economic and Social Council on 24 May 1985,¹³⁹ referred to in Council decision 1985/131 of 28 May 1985, which drew attention to the gravity, magnitude and complexities of the international drug problem and in response proposed a world-wide conference at the ministerial level in 1987 to consider all aspects of the problem,

Recognizing that the interregional meeting of heads of national drug law enforcement agencies, to be convened at Vienna in 1986, could make a significant contribution to the deliberations of the conference at the ministerial level proposed by the Secretary-General,

Taking into account the various reviews of the activities of the United Nations agencies in the narcotics field that have already been undertaken and noting with satisfaction the Secretary-General's designation of the Under-Secretary-General for Political and General Assembly Affairs as the overall co-ordinator of all United Nations activities related to drug control,

¹⁴⁸ A/40/817, annex.

¹⁴⁹ *Official Records of the Economic and Social Council, 1981, Supplement No. 4 (E/1981/24)*, annex II.

¹⁵⁰ Resolution 36/168.

Having considered the note by the Secretary-General on a proposed United Nations conference on drug abuse control,¹⁴⁰

1. *Strongly urges* all States to summon the utmost political will to combat drug abuse and illicit trafficking by generating increased political, cultural and social awareness;

2. *Calls upon* the United Nations, the specialized agencies and other organizations of the United Nations system to give the highest attention and priority possible to international measures to combat illicit production of, trafficking in and demand for drugs;

3. *Also calls upon* all States that have not already done so to become parties to the Single Convention on Narcotic Drugs of 1961¹⁵¹ and the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961¹⁵² and to the Convention on Psychotropic Substances of 1971, and, in the mean time, to make serious efforts to comply with the provisions of these instruments;

4. *Decides* to convene, in 1987, an International Conference on Drug Abuse and Illicit Trafficking at the ministerial level at the Vienna International Centre as an expression of the political will of nations to combat the drug menace, with the mandate to generate universal action to combat the drug problem in all its forms at the national, regional and international levels and to adopt a comprehensive multidisciplinary outline of future activities which focuses on concrete and substantive issues directly relevant to the problems of drug abuse and illicit trafficking, *inter alia*:

(a) To consider whether existing mechanisms, whereby experiences, methodologies and other information in law enforcement, preventive education, treatment and rehabilitation, research and development of manpower relating to the prevention and control of drug abuse can be exchanged, should be improved or, if necessary, complemented by new mechanisms;

(b) To intensify concerted efforts by governmental, intergovernmental and non-governmental organizations to combat all forms of drug abuse, illicit trafficking and related criminal activities leading to the further development of national strategies that could be a basis for international action;

(c) To create heightened national and international awareness and sensitivity concerning the pernicious effects of the abuse of narcotic drugs and psychotropic substances, paying due attention to the demand dimension of the drug problem and to the role of the mass media, non-governmental organizations and other channels of dissemination of information about all aspects of the drug problem, especially in the prevention of drug abuse;

(d) To achieve as much harmonization as possible and to reinforce national legislation, bilateral treaties, regional arrangements and other international legal instruments, especially as they relate to enforcement and penalties against those involved in all aspects of illicit trafficking, including forfeiture of illegally acquired assets and extradition, and to develop co-operation in dealing with drug abusers, including their treatment and rehabilitation;

(e) To make further progress towards eradicating the sources of raw materials for illicit drugs through a comprehensive programme of integrated rural development, the development of alternative means of livelihood and retraining, law enforcement and, where appropriate, crop substitution;

(f) To control more effectively the production, distribution and consumption of narcotic drugs and psycho-

tropic substances with a view to limiting their use exclusively to medical and scientific purposes, in accordance with existing conventions, and, in this connection, to underline the central role of the International Narcotics Control Board;

(g) To strengthen the United Nations co-ordination of drug abuse control activities by, *inter alia*, increasing support for the United Nations Fund for Drug Abuse Control and to reinforce regional and other co-operation between Member States;

(h) To support strongly current high-priority initiatives and programmes of the United Nations, including the elaboration of a convention against illicit traffic in narcotic drugs and psychotropic substances which considers, in particular, those aspects of the problem not envisaged in existing international instruments;

5. *Requests* the Secretary-General to facilitate co-ordination and interaction between Member States and the specialized agencies and other organizations of the United Nations system and, in this regard, to appoint the Secretary-General of the International Conference on Drug Abuse and Illicit Trafficking at the earliest possible time;

6. *Requests* the Economic and Social Council, at its organizational session for 1986, to invite the Commission on Narcotic Drugs to act as the preparatory body for the Conference, which shall be open to the participation of all States, and, for this purpose, to extend by one week the ninth special session of the Commission at Vienna in February 1986 in order to consider the agenda and the organizational arrangements for the Conference and, further, to submit its report on these matters to the Council at its first regular session of 1986;

7. *Reaffirms* the central role of the specialized expert input of the Commission on Narcotic Drugs and calls upon all United Nations bodies to co-operate fully with the Commission and with the Secretary-General of the Conference in order to ensure effective preparations for the Conference;

8. *Requests* the Secretary-General, without prejudice to ongoing initiatives, programmes and work of the United Nations in the field of drugs, to cover as much as possible of the cost of holding the Conference through absorption within the regular budget for the biennium 1986-1987 and to facilitate consideration of the financial implications of the present resolution through established procedures, and further requests the Secretary-General to submit progress reports on the financial arrangements and implementation of the present resolution, through the Commission on Narcotic Drugs, to the Economic and Social Council at its first regular session of 1986;

9. *Further requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/123. 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, 36/134 of 14 December 1981, 38/123 of 16 December 1983 and 39/144 of 14 December 1984,

Mindful of the guidelines on the structure and functioning of national and local institutions for the promotion

¹⁵¹ United Nations, *Treaty Series*, vol. 520, No. 7515, p. 204.

¹⁵² *Ibid.*, vol. 976, No. 14151, p. 4.

and protection of human rights, endorsed by the General Assembly in its resolution 33/46,

Emphasizing the importance of the Universal Declaration of Human Rights,⁶ the International Covenants on Human Rights²⁴ and other international human rights instruments for promoting respect for and observance of human rights and fundamental freedoms,

Conscious of the significant role that 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,

Welcoming the organization at Geneva, under the auspices of the United Nations, of a seminar on the experience of different countries in the implementation of international standards on human rights, held from 20 June to 1 July 1983,¹⁵³ and a seminar on community relations commissions and their functions, held from 9 to 20 September 1985,¹⁵⁴

1. *Takes note* of the report of the Secretary-General;¹⁵⁵
2. *Emphasizes* the importance of developing, in accordance with national legislation, effective national institutions for the protection and promotion of human rights, and of maintaining their independence and integrity;
3. *Encourages* 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;
4. *Draws attention* to the constructive role that national non-governmental organizations can play in the work of such national institutions;
5. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment of such national institutions;
6. *Requests* the Secretary-General to give due attention to the role of national institutions and non-governmental organizations concerned with the protection and promotion of human rights and to provide all necessary assistance to Member States, upon their request, in the implementation of paragraphs 3 and 5 above, according high priority to the needs of developing countries;
7. *Also requests* the Secretary-General to continue to provide and, as appropriate, to enhance assistance in the field of human rights to Governments, at their request, within the framework of the programme of advisory services in the field of human rights;
8. *Welcomes and encourages* the efforts of the Secretary-General to prepare and submit to the General Assembly, through the Commission on Human Rights and the Economic and Social Council, a consolidated report, for eventual publication as a United Nations handbook, on national institutions for the use of Governments, including information on the various types and models of national and local institutions for the protection and promotion of human rights, taking into account differing social and legal systems;
9. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/124. **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,

Emphasizing the significance and validity of the Universal Declaration of Human Rights⁶ and of the International Covenants on Human Rights²⁴ 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,

Recalling also its resolutions 34/46 of 23 November 1979, 35/174 of 15 December 1980, 36/133 of 14 December 1981, 38/124 of 16 December 1983 and 39/145 of 14 December 1984,

Taking into account Commission on Human Rights resolution 1985/43 of 14 March 1985,³⁰

Underlining the fact that the right to development is an inalienable human right,

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 all human rights and fundamental freedoms are indivisible and interdependent and that equal attention and urgent consideration should be given to the implementation, promotion and protection 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,

Recognizing that international peace and security are essential elements for the full realization of human rights, including the right to development,

Considering that the resources that would be released by disarmament could contribute significantly to the development of all States, in particular the developing countries,

¹⁵³ See ST/HR/SER.A/15.

¹⁵⁴ See ST/HR/SER.A/17.

¹⁵⁵ A/40/469.

Recognizing 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 and to exercise full sovereignty over its wealth and natural resources, subject to the principles referred to in article 1, paragraph 2, and article 25 of the International Covenant on Economic, Social and Cultural Rights,⁷ 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,

Acknowledging the progress so far achieved by the international community in the promotion and protection of human rights and fundamental freedoms,

Concerned, however, at the occurrence of violations of human rights in the world,

Reaffirming that nothing in the Universal Declaration of Human Rights or in the International Covenants on 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,

Emphasizing that Governments have the duty to ensure respect for all human rights and fundamental freedoms,

Taking note of the work done by the Working Group of Governmental Experts on the Right to Development, as reflected in its reports to the Commission on Human Rights,¹⁵⁶

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, dignity and peace 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, promotion and protection 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

implementation of the relevant international instruments should be encouraged;

5. *Reiterates once again* that the international community should accord, or continue to accord, priority to the search for solutions to mass and flagrant violations of human rights of peoples and individuals affected by situations such as those mentioned in paragraph 1 (e) of General Assembly 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 expresses its concern at serious violations of human rights, in particular mass and flagrant violations of these rights, wherever they occur;

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 the right to development is an inalienable human right;

9. *Reaffirms also* that international peace and security are essential elements in achieving the full realization of the right to development;

10. *Recognizes* that all human rights and fundamental freedoms are indivisible and interdependent;

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 and to exercise full sovereignty over its wealth and natural resources, subject to the principles referred to in article 1, paragraph 2, and article 25 of the International Covenant on Economic, Social and Cultural Rights, with a view to resolving international problems of an economic, social and humanitarian character;

12. *Expresses concern* at the disparity existing between the established norms and principles and the actual situation of all human rights and fundamental freedoms in the world;

13. *Urges* all States to co-operate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;

14. *Reiterates* the need to create, at the national and international levels, conditions for the full promotion and protection of the human rights of individuals and peoples;

15. *Reaffirms once again* 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;

16. *Again requests* the Commission on Human Rights to take the necessary measures to promote the right to development, and welcomes the decision of the Commission, in its resolution 1985/43, concerning the future work of the Working Group of Governmental Experts on the Right to Development;

17. *Requests* the Secretary-General to transmit to the General Assembly at its forty-first session a report con-

¹⁵⁶ E/CN.4/1983/11, E/CN.4/1984/13 and Corr.1 and 2 and E/CN.4/1985/11.

taining information on the progress made by the Working Group in the accomplishment of its tasks;

18. *Decides* to include in the provisional agenda of its forty-first 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".

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40/125. Development of public information activities in the field of human rights

The General Assembly,

Reaffirming that activities to improve public knowledge in the field of human rights are necessary to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3, of the Charter of the United Nations,

Recalling its resolutions on the status of the International Covenants on Human Rights,²⁴ including resolution 39/136 of 14 December 1984,

Taking into account the relevant General Assembly resolutions concerning the further promotion of human rights, including resolution 39/144 of 14 December 1984 relating to the activities of national institutions in the field of human rights,

Welcoming Commission on Human Rights resolution 1985/49 of 14 March 1985 on the development of public information activities in the field of human rights,³⁰

Recognizing the fundamental importance of national and regional public information activities in the field of human rights and the catalytic effect that initiatives of the United Nations can have on these activities,

Reaffirming that programmes of teaching, education and information in the field of human rights are central to the achievement of lasting respect for human rights and fundamental freedoms,

Noting the importance of making available United Nations materials on human rights in national and local languages, including in simplified form, and of making more effective use of the mass media and of new technologies in order to reach a wider audience, especially the less-educated and those in isolated areas,

Believing that the promotional activities of the United Nations system in the field of human rights should be enhanced and strengthened,

1. *Requests* all Member States to take appropriate steps, by all available means, including the mass media, to give publicity to the activities of the United Nations in the field of human rights and to accord priority to the dissemination, in their respective national and local languages, of the Universal Declaration of Human Rights,⁶ the International Covenants on Human Rights and other international conventions;

2. *Calls upon* all relevant bodies of the United Nations system, including the specialized agencies and the regional commissions, to assist further in the dissemination of United Nations material on human rights;

3. *Welcomes* the efforts of the Secretary-General to issue a personalized version of the Universal Declaration of Human Rights in the six official languages of the United Nations, having in mind the desirability of completing this task in 1986, and also welcomes the preparation of a list of

basic reference works on human rights for use by United Nations information centres and other interested bodies;

4. *Takes note with satisfaction* of the request of the Commission on Human Rights to the Secretary-General, in its resolution 1985/49, to collect relevant material, including that prepared by specialized agencies, regional bodies, groups, non-governmental organizations and individuals, with a view to preparing a basic teaching booklet on human rights in the six official languages of the United Nations;

5. *Recommends* that all Member States consider including, in their educational curricula, material relevant to a comprehensive understanding of human rights issues;

6. *Urges* the Commission on Human Rights to give special attention at its forty-second session to the development of public information activities in the field of human rights and to submit to the General Assembly at its forty-first session, through the Economic and Social Council, its views and recommendations on further action;

7. *Decides* to continue its consideration of this question at its forty-first session under 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".

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13 December 1985*

40/126. New international humanitarian order

The General Assembly,

Recalling its resolutions 36/136 of 14 December 1981, 37/201 of 18 December 1982 and 38/125 of 16 December 1983,

Taking note of the report of the Secretary-General,¹⁵⁷

Welcoming the views and comments of Governments regarding the proposal to promote a new international humanitarian order contained in the report of the Secretary-General,¹⁵⁸

Reiterating that the work of the Independent Commission on International Humanitarian Issues, established outside the framework of the United Nations, could be useful for further study of the proposal,

1. *Expresses its appreciation* to the Secretary-General for his report;

2. *Takes note* of the activities of the Independent Commission on International Humanitarian Issues, as described in the report of the Secretary-General,¹⁵⁹ and looks forward to the outcome of its efforts and its final report;

3. *Invites* Governments that have not yet done so to communicate to the Secretary-General their views regarding the proposal to promote a new international humanitarian order;

4. *Requests* the Secretary-General, in the light of further views received, to submit to the General Assembly at its forty-first session an addendum to his report, including a survey of specific humanitarian issues;

5. *Decides* to review at its forty-first session the question of a new international humanitarian order.

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¹⁵⁷ A/40/348 and Add.1 and 2.

¹⁵⁸ See A/40/348/Add.1 and 2.

¹⁵⁹ See A/40/348, annex II.

40/127. United Nations Voluntary Fund for Victims of Torture

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,⁶ which states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Again recalling the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁷¹

Recalling also its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

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 members of their families,

Taking note of the report of the Secretary-General,¹⁶⁰

1. *Expresses its gratitude and appreciation* to those Governments, organizations 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 initial as well as further 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 of the Fund;

5. *Requests* the Secretary-General to make use of all existing possibilities, including the preparation, production and dissemination of information materials, to assist the Board of Trustees of the Fund in its efforts to make the Fund and its humanitarian work better known and in its appeal for contributions.

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40/128. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights⁶ and article 7 of the International Covenant on Civil and Political Rights,⁷ both of which provide 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, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

Recalling further its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratifi-

cation and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and called upon all Governments to consider signing and ratifying the Convention as a matter of priority,

Mindful of the relevance, for the eradication of torture and other cruel, inhuman or degrading treatment or punishment, of the Code of Conduct for Law Enforcement Officials¹⁶¹ and of the Principles of Medical Ethics,¹⁶²

Convinced of the desirability of early finalization and subsequent adoption of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,¹⁶³

Seriously concerned about the alarming number of reported cases of torture and other cruel, inhuman or degrading treatment or punishment taking place in various parts of the world,

Determined to promote the full implementation of the prohibition, under international and national law, of the practice of torture and other cruel, inhuman or degrading treatment or punishment,

Welcoming the decision of the Commission on Human Rights, in its resolution 1985/33 of 13 March 1985, to appoint a special rapporteur to examine questions relevant to torture,³⁰

1. *Takes note with appreciation* of the report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;¹⁶⁴

2. *Expresses its satisfaction* at the number of States that have signed the Convention since it was opened for signature, ratification and accession on 4 February 1985;

3. *Requests* all States that have not yet done so to sign and to ratify the Convention as a matter of priority;

4. *Invites* all States, upon ratification of or accession to the Convention, to consider the possibility of making the declarations provided for in articles 21 and 22 of the Convention;

5. *Requests* the Secretary-General to submit to the Commission on Human Rights at its forty-second session and to the General Assembly at its forty-first session a report on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

6. *Decides* to consider the report of the Secretary-General provided for in paragraph 5 above at its forty-first session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

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13 December 1985*

40/129. 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 action¹⁴⁹ proposed by the Commission on Narcotic Drugs

¹⁶⁰ A/40/876.

¹⁶¹ Resolution 34/169, annex.

¹⁶² Resolution 37/194, annex.

¹⁶³ A/34/146, annex.

¹⁶⁴ A/40/604.

in its resolution 1 (XXIX) of 11 February 1981,¹⁶⁵ as well as its resolution 38/98 of 16 December 1983, in which it decided 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, would 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,

Taking note of resolution 2 (XXXI) of 20 February 1985 of the Commission on Narcotic Drugs¹⁴³ and Economic and Social Council decision 1985/130 of 28 May 1985,

Approves the programme of action for 1986, the fifth year of the United Nations basic five-year programme of the International Drug Abuse Control Strategy, reviewed by the Commission on Narcotic Drugs at its thirty-first session.¹⁶⁶

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40/130. Measures to improve the situation and ensure the human rights and dignity of all migrant workers

The General Assembly,

Reaffirming once more 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,⁶ the International Covenants on Human Rights,²⁴ the International Convention on the Elimination of All Forms of Racial Discrimination¹¹ and the Convention on the Elimination of All Forms of Discrimination against Women,⁷⁵

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, 37/170 of 17 December 1982, 38/86 of 16 December 1983 and 39/102 of 14 December 1984, 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 fifth inter-sessional meeting,¹⁶⁷ held from 3 to 14 June 1985, as well as the report of the Working Group during the current session of the General Assem-

bly,¹⁶⁸ during which the Group continued with the second reading of the draft convention,

1. Takes note with satisfaction 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, in particular, of the progress made by the Working Group on the drafting, in second reading, of the draft convention;

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 1986 of the Economic and Social Council;

3. Invites the Secretary-General to transmit to Governments the reports of the Working Group so as to enable the members of the Group to continue the drafting, in second reading, of the draft convention during the inter-sessional meeting to be held in the spring of 1986, as well as to transmit the results obtained at that meeting to the General Assembly for consideration during its forty-first 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 forty-first session of the General Assembly, preferably at the beginning of the session, to continue the second reading of the draft international convention on the protection of the rights of all migrant workers and their families.

116th plenary meeting
13 December 1985

40/131. United Nations Voluntary Fund for Indigenous Populations

The General Assembly,

Taking note of Economic and Social Council resolution 1982/34 of 7 May 1982, by which the Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually a working group on indigenous populations,

Taking note of Commission on Human Rights resolution 1984/32 of 12 March 1984,²⁹

Convinced that the establishment of a voluntary trust fund for indigenous populations would constitute a significant development for the future promotion and protection of the human rights of indigenous populations,

Decides to establish a voluntary trust fund in accordance with the following criteria:

(a) The name of the fund shall be the United Nations Voluntary Fund for Indigenous Populations;

(b) The purpose of the Fund shall be to assist representatives of indigenous communities and organizations to participate in the deliberations of the Working Group on Indigenous Populations by providing them with financial assistance, funded by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities;

(c) The only type of activity to be supported by the Fund is that described in subparagraph (b) above;

¹⁶⁵ See *Official Records of the Economic and Social Council, 1981, Supplement No. 4 (E/1981/24)*, chap. XI, sect. A.

¹⁶⁶ See A/40/773, annex.

¹⁶⁷ See A/C.3/40/1.

¹⁶⁸ A/C.3/40/6.

(d) The only beneficiaries of assistance from the Fund shall be representatives of indigenous peoples' organizations and communities:

- (i) Who are so considered by the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations described in subparagraph (e) below;
- (ii) Who would not, in the opinion of the Board, be able to attend the sessions of the Working Group without the assistance provided by the Fund;
- (iii) Who would be able to contribute to a deeper knowledge on the part of the Working Group of the problems affecting indigenous populations and who would secure a broad geographical representation;

(e) The Fund shall be administered in accordance with the Financial Regulations and Rules of the United Nations and other relevant provisions set forth in the annex to the note by the Secretary-General,¹⁶⁹ with the advice of a Board of Trustees composed of five persons with relevant experience on issues affecting indigenous populations, who will serve in their personal capacity; the members of the Board of Trustees shall be appointed by the Secretary-General for a three-year term renewable in consultation with the current Chairman of the Sub-Commission; at least one member of the Board shall be a representative of a widely-recognized organization of indigenous people.

*116th plenary meeting
13 December 1985*

40/132. Assistance to refugees in Somalia

The General Assembly,

Recalling its resolutions 35/180 of 15 December 1980, 36/153 of 16 December 1981, 37/174 of 17 December 1982, 38/88 of 16 December 1983 and 39/104 of 14 December 1984 on the question of assistance to refugees in Somalia,

Having considered the report of the United Nations High Commissioner for Refugees on assistance to refugees in Somalia,¹⁷⁰ in particular section IV of that report,

Taking note of the report of the Secretary-General on assistance to refugees in Africa,¹²⁴

Deeply concerned that the refugee problem in Somalia has not yet been resolved,

Aware of the additional burden imposed by the new influx of refugees and the consequent urgent need for additional international assistance,

Aware of continuing and serious shortfalls in the provision of food assistance, which have resulted in dangerous ration restrictions, epidemics related to malnutrition, other shortages and extreme hardship in refugee camps in Somalia,

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, in the areas of transport and logistics, shelter and domestic items, construction, the strengthening of health and educational facilities, and the expansion of the number of self-help schemes and small-scale farming and settlement projects necessary for the promotion of self-reliance among the refugees,

Aware of the continued 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 new refugee flows and the consequent impact on 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 Secretary-General and the High Commissioner for their 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;¹⁷¹

4. Appeals to Member States, international organizations and voluntary agencies to render maximum and timely material, financial and technical assistance to the Government of Somalia in its efforts to provide all necessary assistance to the refugees;

5. Appeals to the donor community to give urgent and favourable consideration to the development-related refugee projects submitted by the Government of Somalia to the Second International Conference on Assistance to Refugees in Africa,¹⁷² held at Geneva from 9 to 11 July 1984, and to fulfil the pledges undertaken at or after that Conference;

6. Requests the High Commissioner, in consultation with the Secretary-General, to apprise the Economic and Social Council, at its second regular session of 1986, of the refugee situation in Somalia;

7. Also requests the High Commissioner, in consultation with the Secretary-General, to submit to the General Assembly at its forty-first session a report on the progress achieved in the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/133. Assistance to displaced persons in Ethiopia

The General Assembly,

Recalling its resolutions 35/91 of 5 December 1980, 36/161 of 16 December 1981, 37/175 of 17 December 1982, 38/91 of 16 December 1983 and 39/105 of 14 December 1984, as well as 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 prepared pursuant to Economic and Social Council resolution 1980/8 of 28 April 1980,¹⁷³

Taking note of the report of the Secretary-General on assistance to displaced persons in Ethiopia,¹⁷⁴

Having considered the report of the United Nations High Commissioner for Refugees,¹²⁸

Recognizing the increasing number of voluntary returnees and refugees in Ethiopia,

Deeply concerned at the plight of displaced persons and voluntary returnees in the country, which has been aggravated by the devastating effect of the prolonged drought,

Aware of the heavy burden placed on the Government of Ethiopia in caring for displaced persons and victims of natural disasters, as well as for returnees and refugees,

¹⁶⁹ E/CN.4/Sub.2/1983/20.

¹⁷⁰ A/40/586.

¹⁷¹ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 12 (A/40/12)*, chap. II, sect. C; and A/40/586, sect. III.

¹⁷² See A/CONF.125/1, para. 33.

¹⁷³ A/35/360 and Corr.1-3.

¹⁷⁴ A/40/587.

1. *Commends* the efforts made so far by various organs of the United Nations and the specialized agencies in mobilizing humanitarian assistance to assist the efforts of the Government of Ethiopia;

2. *Appeals* to Member States and to international organizations and voluntary agencies to render maximum material, financial and technical assistance to the Government of Ethiopia in its efforts to provide relief and rehabilitation to displaced persons, voluntary returnees and refugees in Ethiopia;

3. *Requests* the United Nations High Commissioner for Refugees to intensify his efforts in mobilizing humanitarian assistance for the relief, rehabilitation and resettlement of voluntary returnees, refugees and displaced persons in Ethiopia;

4. *Requests* the Secretary-General, in co-operation with the High Commissioner, to apprise the Economic and Social Council, at its second regular session of 1986, of the implementation of the present resolution and to report thereon to the General Assembly at its forty-first session.

*116th plenary meeting
13 December 1985*

40/134. Humanitarian assistance to refugees in Djibouti

The General Assembly,

Recalling its resolutions 35/182 of 15 December 1980, 36/156 of 16 December 1981, 37/176 of 17 December 1982, 38/89 of 16 December 1983 and 39/107 of 14 December 1984 on humanitarian assistance to refugees in Djibouti,

Having heard the statement made on 11 November 1985 by the United Nations High Commissioner for Refugees,¹³⁰

Having considered with satisfaction the reports of the United Nations High Commissioner for Refugees on humanitarian assistance to refugees in Djibouti,¹⁷⁵

Appreciating the determined and sustained efforts made by the Government of Djibouti, despite its modest economic resources and limited means, 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 implement adequate, appropriate and lasting solutions in respect of the refugees in Djibouti,

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 and appreciates his efforts to keep their situation under constant review;

2. *Welcomes* the steps taken by the Government of Djibouti, in close co-operation with the High Commissioner, to implement adequate, appropriate and lasting solutions in respect of the refugees in Djibouti;

3. *Requests* the High Commissioner to mobilize the necessary resources to implement lasting solutions in respect of the refugees in Djibouti;

4. *Urges* the High Commissioner to continue to take the necessary measures to ensure that adequate, appropriate and lasting solutions are implemented to assist the refugees in Djibouti, in co-operation with Member States, intergovernmental and non-governmental organizations and the voluntary agencies concerned, with a view to mobilizing the necessary assistance to enable the Government of Djibouti to cope effectively with the refugee problem, which has been particularly aggravated by the debilitating effects of the prolonged drought;

5. *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;

6. *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 constantly being made by the Government of Djibouti to cope with the current needs of the refugees and the other victims of drought in that country;

7. *Requests* the High Commissioner, in close co-operation with the Secretary-General, to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/135. Situation of refugees in the Sudan

The General Assembly,

Recalling its resolutions 35/181 of 15 December 1980, 36/158 of 16 December 1981, 37/173 of 17 December 1982, 38/90 of 16 December 1983 and 39/108 of 14 December 1984 on the situation of refugees in the Sudan,

Having considered the reports of the United Nations High Commissioner for Refugees on the situation of refugees in the Sudan,¹⁷⁶

Appreciating the measures which the Government of the Sudan is taking in order to provide shelter, food, education, and health and other humanitarian services to the growing number of refugees 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 substantially increased 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 the refugee programme,

¹⁷⁵ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 12 (A/40/12)*; and A/40/588.

¹⁷⁶ *Ibid.*, Supplement No. 12 (A/40/12); and A/40/589.

Recognizing the need to view refugee-related development projects within local and national development plans,

1. *Takes note* of the report of the United Nations High Commissioner for Refugees on the implementation of resolution 39/108;¹⁷⁷

2. *Commends* the measures that the Government of the Sudan is taking to provide material and humanitarian assistance to refugees in spite of the drought and the serious economic situation it faces;

3. *Expresses its appreciation* to the Secretary-General, the High Commissioner, donor countries and intergovernmental and non-governmental organizations for their efforts to assist the refugees in the Sudan;

4. *Expresses grave concern* at the shrinking resources available for refugee programmes in the Sudan and the serious consequences of this situation on the country's ability to continue to act as host and provide assistance to the increasing numbers of refugees;

5. *Requests* the Secretary-General, in view of the massive and increasing presence of the refugees, shrinking financial resources, drought and the serious economic situation in the country, to send, in co-operation and co-ordination with the High Commissioner and relevant specialized agencies, a high-level inter-agency mission to assess the needs and the magnitude of assistance required by the programmes for refugees in the Sudan, as well as the impact of the refugees on the economy and vital public services, with a view to preparing a comprehensive programme of assistance to be submitted to the international community;

6. *Also requests* the Secretary-General to mobilize the necessary financial and material assistance for the full implementation of the projects submitted by the Government of the Sudan to the Second International Conference on Assistance to Refugees in Africa,¹⁷² held at Geneva from 9 to 11 July 1984;

7. *Appeals* to Member States, the appropriate organs, organizations and bodies of the United Nations, 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;

8. *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;

9. *Requests* the Secretary-General to report to the General Assembly at its forty-first session, through the Economic and Social Council, on the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/136. Emergency assistance to returnees and displaced persons in Chad

The General Assembly,

Recalling its resolution 39/106 of 14 December 1984,

Taking note of the report made by the United Nations Disaster Relief Co-ordinator on 26 November 1985 on the situation of returnees in Chad,¹⁷⁸

Deeply concerned by the persistence of the drought, which is compounding the already precarious food and health situation in Chad,

Conscious that the large number of voluntary returnees and displaced persons as a result of the war and the drought in Chad poses a serious problem of integrating them into society,

Considering that, in addition to being a land-locked country and one of the least developed countries, Chad is placed in a particularly difficult situation by reason of the war and the drought,

Bearing in mind the many appeals made by the Government of Chad, in particular that made on 9 October 1985 to the General Assembly,¹⁷⁹ and by humanitarian organizations regarding the gravity of the food and health situation in Chad,

Recalling the urgent appeal made by the General Assembly during its thirty-ninth session for international emergency assistance to the voluntary returnees and displaced persons in Chad afflicted by natural disasters,

1. *Endorses* the appeals made by the Government of Chad and by humanitarian organizations concerning emergency assistance to the voluntary returnees and displaced persons in Chad;

2. *Reiterates its appeal* to all States and intergovernmental and non-governmental organizations to support by generous contributions the efforts being made by the Government of Chad to assist and resettle the voluntary returnees and displaced persons;

3. *Takes note with satisfaction* of the action undertaken by the various bodies of the United Nations system and the specialized agencies with a view to mobilizing emergency humanitarian assistance to the voluntary returnees and displaced persons in Chad;

4. *Again requests* the United Nations High Commissioner for Refugees and the United Nations Disaster Relief Co-ordinator to mobilize emergency humanitarian assistance to the voluntary returnees and displaced persons in Chad;

5. *Requests* the Secretary-General, in co-operation with the United Nations Disaster Relief Co-ordinator and the United Nations High Commissioner for Refugees, to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/137. Question of human rights and fundamental freedoms in Afghanistan

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights,⁶ the International Covenants on Human Rights²⁴ and the humanitarian rules set out in the Geneva Conventions of 12 August 1949,¹⁸⁰

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

Emphasizing the obligation of all Governments to respect and protect human rights and to fulfil the responsibilities they have assumed under various international instruments,

¹⁷⁷ A/40/589.

¹⁷⁸ See *Official Records of the General Assembly, Fortieth Session, Third Committee, 54th meeting, paras. 6-10.*

¹⁷⁹ *Ibid.*, *Plenary Meetings*, 29th meeting, paras. 1-28.

¹⁸⁰ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

Recalling Commission on Human Rights resolution 1984/55 of 15 March 1984,²⁹ in which the Commission expressed its concern and anxiety at the continuing presence of foreign forces in Afghanistan, as well as Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the situation of human rights in Afghanistan,

Taking note of Commission on Human Rights resolution 1985/38 of 13 March 1985,³⁰ in which the Commission expressed its profound concern at the grave and massive human rights violations in Afghanistan and urged the authorities in that country to put a stop to those violations, in particular the military repression being conducted against the civilian population of Afghanistan,

Recalling Economic and Social Council decision 1985/147 of 30 May 1985, by which the Council approved the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur and to request him to report to the General Assembly at its fortieth session and to the Commission at its forty-second session on the situation of human rights in Afghanistan, including the human and material losses resulting from the bombardments of the civilian population,

Taking note of resolution 1985/35 of 30 August 1985 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,¹⁸¹ in which the Sub-Commission requested the Commission on Human Rights to ask the Special Rapporteur to look, in particular, into the fate of women and children as a consequence of the conflict in Afghanistan,

Having carefully examined the interim report of the Special Rapporteur on the question of human rights in Afghanistan,¹⁸² which reveals continuing grave and massive violations of fundamental human rights in that country,

Recognizing that a situation of armed conflict continues to exist in Afghanistan, leaving large numbers of victims without protection or assistance,

Deploring the continuing refusal of the Afghan authorities to co-operate with the Special Rapporteur,

1. Commends the Special Rapporteur for his report on the question of human rights in Afghanistan;

2. Expresses its profound concern that, as revealed in the findings of the Special Rapporteur, disregard for human rights is more widespread, the conflict continues to engender human rights violations on a large scale and, as a result, not only the lives of individuals but the existence of whole groups of persons and tribes are endangered;

3. Expresses its deep concern that the Afghan authorities, with heavy support from foreign troops, are acting with great severity against their opponents and suspected opponents without any respect for the international human rights obligations which they have assumed;

4. Also expresses its deep concern at the severe consequences for the civilian population of indiscriminate bombardments and military operations aimed primarily at the villages and the agricultural structure;

5. Shares the conviction of the Special Rapporteur that the prolongation of the conflict increases the seriousness of the gross and systematic violations of human rights already existing in the country;

6. Expresses its profound distress and alarm, in particular, at the widespread violations of the right to life, liberty and security of person, including the commonplace practice of torture and summary executions of the opponents

of the régime, as well as at increasing evidence of a policy of religious intolerance;

7. Notes with great concern that such widespread violations of human rights, that have already caused millions of people to flee their homes and country, are still giving rise to large flows of refugees and displaced persons;

8. Calls upon the parties to the conflict to apply fully the principles and rules of international humanitarian law and to admit international humanitarian organizations, in particular the International Committee of the Red Cross, and to facilitate their operations for the alleviation of the suffering of the people in Afghanistan;

9. Urges the authorities in Afghanistan to co-operate with the Commission on Human Rights and its Special Rapporteur, in particular by allowing him to visit Afghanistan;

10. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

11. Decides to keep under consideration, during its forty-first session, the question of human rights and fundamental freedoms in Afghanistan, in order to examine this question anew in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

116th plenary meeting
13 December 1985

40/138. Assistance to student refugees in southern Africa

The General Assembly,

Recalling its resolution 39/109 of 14 December 1984, 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 have been granted asylum in Botswana, Lesotho, Swaziland and Zambia,

Having considered the report of the High Commissioner on the assistance programme to student refugees from South Africa and Namibia,¹⁸³

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 that the discriminatory and repressive policies which continue to be applied in South Africa and Namibia cause a continued and increasing influx of student refugees into Botswana, Lesotho, Swaziland and Zambia,

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. Takes note with satisfaction of the report of the United Nations High Commissioner for Refugees;

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;

¹⁸¹ See E/CN.4/1986/5-E/CN.4/Sub.2/1985/57, chap. XX, sect. A.

¹⁸² A/40/843, annex.

¹⁸³ A/40/590.

3. *Also expresses its appreciation* to the Governments of Botswana, Lesotho, Swaziland and Zambia for the co-operation which they have extended to the High Commissioner on matters concerning the welfare of these 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 High Commissioner, in co-operation with the Secretary-General, 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 been granted 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 programme for student refugees, through financial support of the regular programmes of the High Commissioner and of the projects and programmes, including unfunded projects, which were submitted to the Second International Conference on Assistance to Refugees in Africa,¹⁷² held at Geneva from 9 to 11 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 all other competent United Nations bodies, as well as other international and non-governmental organizations, to continue providing humanitarian and development assistance so as to facilitate and expedite the settlement of student refugees from South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;

9. *Calls upon* 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 1986, of the current status of the programmes and to report to the General Assembly at its forty-first session on the implementation of the present resolution.

*116th plenary meeting
13 December 1985*

40/139. Situation of human rights and fundamental freedoms in El Salvador

The General Assembly,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights,⁶ the International Covenant on Civil and Political Rights⁷ and the humanitarian rules set out in the Geneva Conventions of 12 August 1949¹⁸⁰ and Additional Protocols I and II thereto,¹⁸⁴

Aware 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,

Recalling that, in its resolutions 35/192 of 15 December 1980, 36/155 of 16 December 1981, 37/185 of 17 December 1982, 38/101 of 16 December 1983 and 39/119 of 14 December 1984, it expressed deep concern at the situation of human rights in El Salvador,

Bearing in mind Commission on Human Rights resolutions 32 (XXXVII) of 11 March 1981,²⁶ in which the Commission decided to appoint a special representative on the situation of human rights in El Salvador, 1982/28 of 11 March 1982,²⁷ 1983/29 of 8 March 1983,²⁸ 1984/52 of 14 March 1984²⁹ and 1985/35 of 13 March 1985,³⁰ whereby the Commission extended the mandate of the Special Representative for another year and requested him to report, *inter alia*, to the General Assembly,

Noting that the Special Representative of the Commission on Human Rights points out in his interim report¹⁸⁵ that, in the process of the democratic normalization of the country, the question of respect for human rights is an important part of the current policy of the Republic of El Salvador, but that nevertheless a situation of generalized warlike violence continues to exist, that the number of attacks on life and the economic structure remains a cause for concern, and that the number of political prisoners and abductions has increased,

Deeply concerned that in El Salvador, in addition to the continuing armed conflict, the scarcely initiated dialogue between the Government and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario has been interrupted,

Considering that, while the armed conflict of a non-international character continues, the Government and the insurgent forces are obliged to apply the minimum standards of protection of human rights and of humanitarian treatment set out in article 3 common to the Geneva Conventions of 12 August 1949, as well as Additional Protocol II thereto, to which the Republic of El Salvador is party,

Aware that a political solution to the Salvadorian conflict may be thwarted if external forces, rather than assisting the resumption of the dialogue, contribute in any way to the intensification or prolongation of the war,

Recognizing the value of dialogue as the best way to achieve genuine national reconciliation and the importance of the fact that different sectors of the country favour an overall negotiated political solution which would put an end to the suffering of the Salvadorian people and stem the tide of refugees and internally displaced persons,

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. *Recognizes with interest* and emphasizes that it is important that the Special Representative should have indicated in his interim report that the Government of El Salvador is continuing its policy of attempting to improve the situation of human rights;

3. *Expresses, nevertheless, its deep concern* at the fact that serious and numerous violations of human rights continue to take place in El Salvador owing above all to non-fulfilment of the humanitarian rules of war and therefore requests the Government of El Salvador and the insurgent forces to adopt measures conducive to the humanization of the conflict by observing scrupulously the Geneva Conventions of 1949 and the Additional Protocols thereto, and also recommends that the Special Representative should, for the duration of the armed conflict, continue to

¹⁸⁴ A/32/144, annexes I and II.

¹⁸⁵ A/40/818, annex.

observe and to inform the General Assembly and the Commission on Human Rights of the extent to which the contending parties are respecting those rules, particularly as regards humanitarian treatment and respect for the civilian population, prisoners of war, those wounded in combat, health personnel and military hospitals of either party;

4. *Reaffirms once again* the right of the Salvadorian people freely to determine their political, economic and social future without interference from outside, through a genuine democratic process, in which all sectors of the population participate freely and effectively;

5. *Requests* all States to refrain from intervening in the internal situation in El Salvador and, instead of helping in any way to prolong and intensify the war, to encourage the continuation of the dialogue until a just and lasting peace is achieved;

6. *Deeply regrets* the interruption of the dialogue initiated in October 1984 between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario and therefore calls upon these parties to renew their talks so that by means of sincere, generous and open dialogue they may achieve a negotiated comprehensive political solution which will put an end to the armed conflict and contribute to the institutionalization and strengthening of the democratic system based on the full exercise by all Salvadorians of their civil and political rights and their economic, social and cultural rights;

7. *Calls upon* the Government and the opposition forces, as agreed at the meeting held at La Palma on 15 October 1984,¹⁸⁶ to establish as soon as possible appropriate mechanisms to study the plans and proposals submitted by both parties and to include all sectors of national life in the search for peace;

8. *Views with concern* that, as a consequence of the prolonged armed conflict, the number of refugees and internally displaced persons, who already constitute a considerable part of the Salvadorian population, continues to increase and requests all States to collaborate in the reception of the refugees and to support the autonomous organizations responsible for looking after internally displaced persons in El Salvador;

9. *Again reiterates its appeal* to the Government of El Salvador and to the opposition forces to co-operate fully with the humanitarian organizations dedicated to alleviating the suffering of the civilian population, wherever these organizations operate in the country, and to permit the International Committee of the Red Cross to continue to evacuate those wounded and maimed by war to where they can receive the medical attention they need;

10. *Deeply deplores* the fact that the capacity of the judicial system in El Salvador to investigate, prosecute and punish violations of human rights continues to be patently unsatisfactory and therefore urges the competent authorities to continue and strengthen the process of reform of the Salvadorian judicial system, in order to punish speedily and effectively those responsible for the serious human rights violations which have been committed and are still being committed in that country;

11. *Recommends* the continuation and broadening of the reforms necessary in El Salvador, including effective application of agrarian reform, for the solution of the economic and social problems which are the basic cause of the internal conflict in that country;

12. *Calls upon* the competent authorities in El Salvador to introduce changes in the laws and other measures

that are incompatible with the provisions contained in the international instruments binding on the Government of El Salvador in respect of human rights;

13. *Renews its appeal* to the Government of El Salvador, as well as to other parties concerned, to continue to co-operate with the Special Representative of the Commission on Human Rights;

14. *Decides* to keep under consideration, during its forty-first 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, in the hope that there will be improvement.

*116th plenary meeting
13 December 1985*

40/140. 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 resolutions 37/184 of 17 December 1982, 38/100 of 16 December 1983 and 39/120 of 14 December 1984,

Recalling also Commission on Human Rights resolution 1984/53 of 14 March 1984,²⁹ and taking note of Commission resolution 1985/36 of 13 March 1985,³⁰ in which it expressed its deep concern at the continuing serious and systematic violations of human rights in Guatemala and at restrictive measures that limit the freedoms of the rural and indigenous populations,

Mindful of resolution 1985/28 of 30 August 1985 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,¹⁸¹

Welcoming the general elections held on 3 November 1985 for President, Vice-President and representatives to the national Congress and of municipalities, with the participation of various political parties,

Noting with satisfaction the set of provisions to safeguard human rights and fundamental freedoms contained in the new Constitution, which, when fully complied with by the new Government and all others concerned, could lead to a significant improvement in the situation of human rights in Guatemala,

Alarmed at the continuation of politically motivated violence, particularly killings and kidnappings, as well as enforced and involuntary disappearances and the lack of effective measures by the authorities in investigating such practices,

Recognizing that the internal armed conflict of a non-international character which continues to exist in Guatemala stems from economic, social and political factors of a structural nature,

Expressing its concern at the widespread suffering caused by disregard for the principles of international humanitarian law applicable to that conflict,

Welcoming the co-operation of the Government of Guatemala with the Special Rapporteur of the Commission on Human Rights as well as the invitation by the Government to several international human rights organizations to assess the situation of human rights and fundamental freedoms,

¹⁸⁶ See A/39/636, annex, sect. II.

1. *Welcomes* the efforts of the Special Rapporteur of the Commission on Human Rights to fulfil his mandate and takes note of his interim report on the situation of human rights in Guatemala,¹⁸⁷ submitted in accordance with Commission resolution 1985/36;

2. *Expresses the hope* that the recent elections will be the first step in a process leading to complete and effective enjoyment of human rights by the people of Guatemala;

3. *Notes with satisfaction* that a new Government and Congress are to take office on 14 January 1986, following a second round in the presidential elections on 8 December 1985, and that a new Constitution, which provides, *inter alia*, for the establishment of a national commission on human rights as well as a commissioner for human rights, is to take effect on the same date in January 1986;

4. *Reiterates its deep concern* at the continuing grave and widespread violations of human rights in Guatemala, particularly the violence against non-combatants, the widespread repression, killings, including extrajudicial executions, the practice of torture, disappearances and secret detention, as well as at practices such as the displacement of rural and indigenous populations, their confinement in development centres and their forced participation in civilian patrols organized and controlled by the armed forces;

5. *Strongly urges* the Government of Guatemala to take all measures necessary to halt violations of human rights and fundamental freedoms, particularly enforced and involuntary disappearances, as well as to take effective measures, within the framework of the Constitution, to ensure that all its authorities and agencies, civilian as well as military, fully respect the human rights and fundamental freedoms of all Guatemalans, such as trade unionists, catechists and the predominantly indigenous rural and peasant population;

6. *Again requests* the Government of Guatemala to investigate and clarify the fate of those who have disappeared and whose whereabouts continue to be unknown, and to include within the framework of such an investigation the publication of the full details of the report of the Tripartite Commission;

7. *Further urges* the Government of Guatemala to establish the necessary conditions to ensure the independence of the judicial system and to enable the judiciary to uphold the rule of law, including the right of *habeas corpus*, and to prosecute and punish speedily and effectively those who are responsible for violations of human rights, including members of the military and security forces;

8. *Calls upon* the Government of Guatemala to allow independent and impartial bodies to function in the country to monitor and investigate alleged human rights violations, as well as to respect and protect human rights defenders such as the Mutual Support Group;

9. *Calls upon* the Government of Guatemala to guarantee to the rural and indigenous population the freedom to choose their place of residence and freedom from forced participation in civilian patrols;

10. *Calls upon* all parties to the conflict to apply fully the principles and rules of international humanitarian law and reiterates its appeal to the Government of Guatemala to admit the International Committee of the Red Cross to the country, and subsequently to facilitate its operations for the alleviation of the suffering of the Guatemalan people;

11. *Calls upon* all Governments to refrain from intervening in any way in the internal situation in Guatemala,

which could intensify the internal armed conflict and increase violations of human rights;

12. *Deeply deplores* the continuing gross violations of human rights arising from that conflict, which are largely due to the failure of the military and security forces to conduct their activities with the necessary respect for protecting the human rights of all Guatemalans;

13. *Invites* the Government of Guatemala and other parties concerned to continue co-operating with the Special Rapporteur of the Commission on Human Rights;

14. *Invites* the Commission on Human Rights to study carefully the report of its Special Rapporteur, as well as other information pertaining to the human rights situation in Guatemala, and to consider further steps for securing effective respect for human rights and fundamental freedoms for all in that country including, if so requested by the Government of Guatemala, the provision of appropriate technical assistance under the programme of advisory services in the field of human rights;

15. *Decides* to continue its examination of the situation of human rights and fundamental freedoms in Guatemala at its forty-first session.

116th plenary meeting
13 December 1985

40/141. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights⁶ and the International Covenants on Human Rights,²⁴

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Recalling Commission on Human Rights resolutions 1982/27 of 11 March 1982²⁷ and 1983/34 of 8 March 1983,²⁸

Bearing in mind Commission on Human Rights resolution 1984/54 of 14 March 1984,²⁹ in which the Commission expressed deep concern at the continuing serious violations of human rights and fundamental freedoms in the Islamic Republic of Iran and requested its Chairman to appoint a special representative to make a thorough study of the situation of human rights in that country,

Taking note, in particular, of Commission on Human Rights resolution 1985/39 of 13 March 1985,³⁰ by which the Commission decided to extend the mandate of its Special Representative for one year and requested him to present an interim report to the General Assembly at its fortieth session on the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, and a final report to the Commission at its forty-second session,

Mindful of resolution 1985/17 of 29 August 1985 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,¹⁸¹ in which the Sub-Commission expressed its alarm at the continuing reports of gross violations of human rights and fundamental freedoms in the Islamic Republic of Iran,

Regretting that the Government of the Islamic Republic of Iran has still not extended its full co-operation to the Commission on Human Rights and its Special Represent-

¹⁸⁷ A/40/865, annex.

tative, in particular by not allowing the Special Representative to visit the country,

Taking into account the specific and detailed allegations of grave and extensive violations of human rights to which the Special Representative refers in his interim report on the situation of human rights in the Islamic Republic of Iran¹⁸⁸ and to which the Government of that country has not responded,

Endorsing the conclusion of the Special Representative that continued monitoring of the human rights situation in the Islamic Republic of Iran is called for,

1. *Takes note with appreciation* of the interim report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran and of the general observations contained therein;¹⁸⁹

2. *Expresses its deep concern* over the specific and detailed allegations of violations of human rights in the Islamic Republic of Iran to which the Special Representative refers in his interim report, and, in particular, those related to the right to life, such as summary and arbitrary executions, the right to freedom from torture or cruel, inhuman or degrading treatment or punishment, the right to liberty and security of person and to freedom from arbitrary arrest or detention, the right to a fair trial, the right to freedom of thought, conscience and religion and to freedom of expression, and the right of religious minorities to profess and practise their own religion;

3. *Endorses* the conclusion of the Special Representative that, on the basis of the information available to him, specific and detailed allegations concerning grave violations of human rights cannot be dismissed, and urgently appeals to the Government of the Islamic Republic of Iran to respond satisfactorily to these allegations;

4. *Urges* the Government of the Islamic Republic of Iran, as a State party to the International Covenant on Civil and Political Rights,⁷ to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in that Covenant;

5. *Requests* the Commission on Human Rights to study carefully the final report of the Special Representative, as well as other information pertaining to the situation of human rights in the Islamic Republic of Iran, and to consider further steps for securing effective respect for human rights and fundamental freedoms for all in that country;

6. *Urges* the Government of the Islamic Republic of Iran to extend its full co-operation to the Special Representative of the Commission on Human Rights, and, in particular, to permit him to visit that country;

7. *Requests* the Secretary-General to give all necessary assistance to the Special Representative;

8. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, during its forty-first session 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.

116th plenary meeting
13 December 1985

40/142. Status of the Convention on the Prevention and Punishment of the Crime of Genocide

The General Assembly,

Recalling its resolution 260 A (III) of 9 December 1948, by which it approved and proposed for signature and ratification or accession the Convention on the Prevention and Punishment of the Crime of Genocide,

Mindful of the fact that the year 1986 marks the thirty-fifth anniversary of the entry into force of the Convention,

Reaffirming its conviction that genocide is a crime under international law, contrary to the spirit and aims of the United Nations,

Expressing its conviction that implementation of the provisions of the Convention by all States is necessary for the prevention and punishment of the crime of genocide,

Bearing in mind that the fortieth anniversary of the victory over nazism and fascism in the Second World War is being commemorated in 1985,

1. *Once again strongly condemns* the crime of genocide;

2. *Reaffirms* the necessity of international co-operation in order to liberate mankind from such an odious scourge;

3. *Takes note with appreciation* of the fact that many States have ratified the Convention on the Prevention and Punishment of the Crime of Genocide or have acceded thereto;

4. *Urges* those States that have not yet become parties to the Convention to ratify it or accede thereto without further delay;

5. *Invites* the Secretary-General to submit to the General Assembly at its forty-first session a report on the status of the Convention;

6. *Requests* the Commission on Human Rights to consider at its forty-second session the question of promoting the full implementation of the Convention and to submit its observations and proposals thereon, through the Economic and Social Council, to the General Assembly at its forty-first session.

116th plenary meeting
13 December 1985

40/143. Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights,⁶ which states that every human being has the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights,⁷ 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 or arbitrary executions, and its resolutions 37/182 of 17 December 1982, 38/96 of 16 December 1983 and 39/110 of 14 December 1984,

¹⁸⁹ *Ibid.*, sect. II.

¹⁸⁸ A/40/874.

Deeply alarmed at the continued 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,¹⁹⁰ in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

Welcoming Economic and Social Council resolution 1984/50 of 25 May 1984, and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15,¹³⁸ as well as the ongoing work on summary or arbitrary executions within the Committee on Crime Prevention and Control,

Convinced of the need for appropriate action to combat and eventually eliminate the practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental human right, the right to life,

1. *Strongly condemns* the large number of summary or arbitrary executions, including extra-legal executions, which continue to take place in various parts of the world;

2. *Demands* that the practice of summary or arbitrary executions be brought to an end;

3. *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;

4. *Also welcomes* Economic and Social Council resolution 1985/40 of 30 May 1985, in which the Council decided to continue the mandate of the Special Rapporteur, Mr. S. A. Wako, for a further year and requested the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-second session;

5. *Urges* all Governments and all others concerned to co-operate with and assist the Special Rapporteur of the Commission on Human Rights in the implementation of his mandate;

6. *Requests* the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred;

7. *Also requests* the Special Rapporteur to consider, in his next report, possible measures to be taken by the appropriate authorities when a death occurs in custody, including adequate autopsy;

8. *Considers* that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive information from Governments, United Nations bodies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council;

9. *Requests* the Secretary-General to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;

10. *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 Rights⁷ appear not to be respected;

11. *Requests* the Commission on Human Rights at its forty-second session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35, 1983/36, 1984/35 and 1985/40, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

*116th plenary meeting
13 December 1985*

40/144. Declaration on the human rights of individuals who are not nationals of the country in which they live

The General Assembly,

Having considered the question of the human rights of individuals who are not nationals of the country in which they live,

Decides to adopt the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live, which is annexed to the present resolution.

*116th plenary meeting
13 December 1985*

ANNEX

Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live

The General Assembly,

Considering that the Charter of the United Nations encourages universal respect for and observance of the human rights and fundamental freedoms of all human beings, without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights⁶ proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in that Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Considering that the Universal Declaration of Human Rights proclaims further that everyone has the right to recognition everywhere as a person before the law, that all are equal before the law and entitled without any discrimination to equal protection of the law, and that all are entitled to equal protection against any discrimination in violation of that Declaration and against any incitement to such discrimination,

Being aware that the States parties to the International Covenants on Human Rights²⁴ undertake to guarantee that the rights enunciated in these Covenants will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Conscious that, with improving communications and the development of peaceful and friendly relations among countries, individuals increasingly live in countries of which they are not nationals,

Reaffirming the purposes and principles of the Charter of the United Nations,

Recognizing that the protection of human rights and fundamental freedoms provided for in international instruments should also be ensured for individuals who are not nationals of the country in which they live,

Proclaims this Declaration:

Article 1

For the purposes of this Declaration, the term "alien" shall apply, with due regard to qualifications made in subsequent articles, to any individual who is not a national of the State in which he or she is present.

Article 2

1. Nothing in this Declaration shall be interpreted as legitimizing the illegal entry into and presence in a State of any alien, nor shall any provi-

¹⁹⁰ See E/CN.4/1983/4-E/CN.4/Sub.2/1982/43 and Corr.1, chap. XXI, sect. A.

sion be interpreted as restricting the right of any State to promulgate laws and regulations concerning the entry of aliens and the terms and conditions of their stay or to establish differences between nationals and aliens. However, such laws and regulations shall not be incompatible with the international legal obligations of that State, including those in the field of human rights.

2. This Declaration shall not prejudice the enjoyment of the rights accorded by domestic law and of the rights which under international law a State is obliged to accord to aliens, even where this Declaration does not recognize such rights or recognizes them to a lesser extent.

Article 3

Every State shall make public its national legislation or regulations affecting aliens.

Article 4

Aliens shall observe the laws of the State in which they reside or are present and regard with respect the customs and traditions of the people of that State.

Article 5

1. Aliens shall enjoy, in accordance with domestic law and subject to the relevant international obligations of the State in which they are present, in particular the following rights:

(a) The right to life and security of person; no alien shall be subjected to arbitrary arrest or detention; no alien shall be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law;

(b) The right to protection against arbitrary or unlawful interference with privacy, family, home or correspondence;

(c) The right to be equal before the courts, tribunals and all other organs and authorities administering justice and, when necessary, to free assistance of an interpreter in criminal proceedings and, when prescribed by law, other proceedings;

(d) The right to choose a spouse, to marry, to found a family;

(e) The right to freedom of thought, opinion, conscience and religion; the right to manifest their religion or beliefs, subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others;

(f) The right to retain their own language, culture and tradition;

(g) The right to transfer abroad earnings, savings or other personal monetary assets, subject to domestic currency regulations.

2. Subject to such restrictions as are prescribed by law and which are necessary in a democratic society to protect national security, public safety, public order, public health or morals or the rights and freedoms of others, and which are consistent with the other rights recognized in the relevant international instruments and those set forth in this Declaration, aliens shall enjoy the following rights:

(a) The right to leave the country;

(b) The right to freedom of expression;

(c) The right to peaceful assembly;

(d) The right to own property alone as well as in association with others, subject to domestic law.

3. Subject to the provisions referred to in paragraph 2, aliens lawfully in the territory of a State shall enjoy the right to liberty of movement and freedom to choose their residence within the borders of the State.

4. Subject to national legislation and due authorization, the spouse and minor or dependent children of an alien lawfully residing in the territory of a State shall be admitted to accompany, join and stay with the alien.

Article 6

No alien shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment and, in particular, no alien shall be subjected without his or her free consent to medical or scientific experimentation.

Article 7

An alien lawfully in the territory of a State may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons why he or she should not be expelled and to have the case reviewed by, and be represented for the purpose before, the competent authority or a person or persons specially designated by the competent authority. Individual or collective expulsion of such aliens on grounds of race, colour, religion, culture, descent or national or ethnic origin is prohibited.

Article 8

1. Aliens lawfully residing in the territory of a State shall also enjoy, in accordance with the national laws, the following rights, subject to their obligations under article 4:

(a) The right to safe and healthy working conditions, to fair wages and equal remuneration for work of equal value without distinction of any kind, in particular, women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;

(b) The right to join trade unions and other organizations or associations of their choice and to participate in their activities. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary, in a democratic society, in the interests of national security or public order or for the protection of the rights and freedoms of others;

(c) The right to health protection, medical care, social security, social services, education, rest and leisure, provided that they fulfil the requirements under the relevant regulations for participation and that undue strain is not placed on the resources of the State.

2. With a view to protecting the rights of aliens carrying on lawful paid activities in the country in which they are present, such rights may be specified by the Governments concerned in multilateral or bilateral conventions.

Article 9

No alien shall be arbitrarily deprived of his or her lawfully acquired assets.

Article 10

Any alien shall be free at any time to communicate with the consulate or diplomatic mission of the State of which he or she is a national or, in the absence thereof, with the consulate or diplomatic mission of any other State entrusted with the protection of the interests of the State of which he or she is a national in the State where he or she resides.

40/145. 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,

Noting the obligation of the Chilean authorities to respect and protect human rights in accordance with the international instruments to which Chile is a party,

Bearing in mind that the concern of the international community at the situation of human rights in Chile was expressed by the General Assembly in 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, 37/183 of 17 December 1982, 38/102 of 16 December 1983 and 39/121 of 14 December 1984, as well as in its resolution 33/173 of 20 December 1978 on disappeared persons,

*Recalling the relevant resolutions of the Commission on Human Rights, in particular resolution 1985/47 of 14 March 1985,³⁰ in which the Commission decided, *inter alia*, to extend the mandate of the Special Rapporteur for a year and to consider the question as a matter of high priority in view of the increase in serious violations of human rights in Chile,*

Considering that the Special Rapporteur proposes to submit to the Commission on Human Rights at its forty-second session a final report on the situation of human rights in Chile,

Considering also the public and notorious nature of many of the deeds which constitute serious and systematic violations of human rights and fundamental freedoms in Chile,

Deploring 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,

Considering further, *inter alia*, the recent reports, resolutions and conclusions of the Human Rights Committee, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the International Labour Organisation, as well as the Chilean Human Rights Committee and the Vicaría de la Solidaridad of the Catholic Church in Chile,

Recognizing the importance of the fact that the Chilean authorities have announced their intention to permit the entry into Chile of the Special Rapporteur, in the exercise of his mandate, to investigate the situation of human rights in that country,

1. Takes note of the preliminary report of the Special Rapporteur on the situation of human rights in Chile, submitted in accordance with Commission on Human Rights resolution 1985/47;¹⁹¹

2. Once again expresses its dismay at the suppression in Chile of the traditional democratic legal order and its institutions and their replacement by a constitution which does not reflect the freely expressed will of the people and whose provisions considerably restrict the enjoyment and exercise of human rights and fundamental freedoms through the institutionalization and consolidation of states of emergency and the extension of the jurisdiction of the military tribunals, all of which amounts to an integrated system negating civil and political rights and freedoms;

3. Expresses its indignation at the persistence of serious and systematic violations of human rights in Chile, in particular the suppression of social protests which has caused a considerable number of deaths and injuries and mass and individual arrests, at the intimidation of national human rights organizations, at the frequent reports of torture and ill-treatment, and at the treacherous crimes in which the police forces are judicially implicated;

4. Reiterates its alarm at the fact that, in general, the arbitrary or improper actions of the State police and security agencies continue to go unpunished;

5. Reiterates its concern at the ineffectiveness of the remedies of *habeas corpus* or of *amparo* and of protection, owing to the fact that the judiciary, notwithstanding some positive actions in this field, does not always exercise its powers of investigation, monitoring and supervision in this respect, and performs its functions under severe restrictions which undermine its independence;

6. Once again calls urgently upon the Chilean authorities to restore and respect human rights in accordance with the obligations they have assumed under various international instruments, so as to re-establish the principle of legality, democratic institutions and the effective enjoyment and exercise of human rights and fundamental freedoms, and, in particular:

(a) To put an end not only to the state of seige, as was done in June 1985, but also to the régime of exception and especially the practice of declaring "constitutional states of emergency" under which serious and continuing violations of human rights are committed;

(b) To investigate and clarify without delay the fate of persons who were arrested for political reasons and later disappeared, to assist and inform their families of the results of such investigation and to bring to trial and punish those responsible for their disappearance;

(c) To respect the right to life and the right to physical and moral integrity by putting an end to the practice of torture and other cruel, inhuman or degrading treatment

or punishment and to put an immediate end to intimidation and persecution as well as to kidnappings, arbitrary or abusive detention and imprisonment in secret places;

(d) To respect the right of nationals to live in and freely enter and leave their country, without arbitrary restrictions or conditions, and to cease the practice of *relegación* (assignment to forced residence) and forced exile;

(e) To restore the full enjoyment and exercise of labour rights, including the right to organize trade unions, the right to collective bargaining and the right to strike, to put an end to the suppression of the activities of trade union leaders and their organizations and to comply with the provisions of the international agreements of the International Labour Organisation to which Chile has subscribed;

(f) To respect and, where necessary, restore economic, social and cultural rights, in particular the rights intended to preserve the cultural identity and improve the economic and social status of the indigenous populations, including the right to their land;

7. Concludes, on the basis of the preliminary report of the Special Rapporteur and of other data at its disposal, that it is necessary to continue to monitor the human rights situation in Chile;

8. Expresses its conviction that an unrestricted, *in situ* investigation of the human rights situation in Chile requires that the Special Rapporteur, in fulfilment of his mandate, should have access to all the information and data which could be provided by those persons and bodies that are interested in the situation of human rights in Chile;

9. Requests the Chilean authorities to co-operate more fully with the Special Rapporteur and to submit their comments on his report to the Commission on Human Rights at its forty-second session;

10. Invites the Commission on Human Rights, at its forty-second session, to proceed to an in-depth consideration of the report of the Special Rapporteur and, taking account of all the relevant information at its disposal, to adopt the most appropriate measures for the effective restoration of human rights and fundamental freedoms in Chile, including the extension of the mandate of the Special Rapporteur, and requests the Commission to report to the General Assembly at its forty-first session, through the Economic and Social Council.

116th plenary meeting
13 December 1985

40/146. Human rights in the administration of justice

The General Assembly,

Convinced of the need for further co-ordinated and concerted action in promoting respect for human rights in the administration of justice,

Guided by the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights,⁶ as well as the relevant provisions of the International Covenant on Civil and Political Rights,⁷ in particular article 6, which explicitly states that no one shall be arbitrarily deprived of his life,

Bearing in mind its resolutions 2858 (XXVI) of 20 December 1971 and 3144 (XXVIII) of 14 December 1973 on human rights in the administration of justice,

Recalling Economic and Social Council resolutions 1984/47 and 1984/50 of 25 May 1984, in which, *inter alia*, the Council approved the procedures for the effective

¹⁹¹ A/40/647, annex.

implementation of the Standard Minimum Rules for the Treatment of Prisoners¹⁹² and the safeguards guaranteeing protection of the rights of those facing the death penalty,

Bearing in mind also the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁷²

Considering the work in progress with regard to the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,

Recalling its resolution 39/118 of 14 December 1984, in which, *inter alia*, it requested the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders to give urgent attention to the matter of devising ways and means to ensure more effective application of existing standards and to report thereon to the General Assembly at its fortieth session,

Acknowledging the important work accomplished by the Seventh Congress, in particular in relation to the formulation and application of United Nations standards and norms in the administration of justice under item 7 of its agenda,¹⁹³

1. *Deplores* the continued use of cruel, inhuman or degrading treatment or punishment, prohibited under international law, and strongly condemns the practice of summary or arbitrary executions;

2. *Welcomes* the Basic Principles on the Independence of the Judiciary, adopted unanimously by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹⁹⁴ and invites Governments to respect them and to take them into account within the framework of their national legislation and practice;

3. *Encourages* the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, in giving further consideration to the question of the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, which is currently on its agenda, to take into account the Basic Principles adopted by the Seventh Congress in making final recommendations at its thirtieth session;

4. *Takes note with appreciation* of the Model Agreement on the Transfer of Foreign Prisoners and recommendations on the treatment of foreign prisoners,¹⁹⁵ also adopted unanimously by the Seventh Congress, and invites Member States to take the Model Agreement into account in establishing treaty relations with other Member States or in revising existing treaty relations;

5. *Also takes note with appreciation* of the recommendations made by the Seventh Congress with a view to ensuring more effective application of existing standards, in particular the Standard Minimum Rules for the Treatment of Prisoners, the Code of Conduct for Law Enforcement Officials¹⁹⁶ and safeguards guaranteeing the rights of those facing the death penalty;

6. *Calls upon* Member States to spare no effort in providing for adequate mechanisms, procedures and resources so as to ensure the implementation of these recommendations, both in law and in practice;

7. *Requests* the Secretary-General to assist Member States, at their request, in implementing these recommendations and to report thereon to the Committee on Crime Prevention and Control;

8. *Requests* the Economic and Social Council, through the Committee on Crime Prevention and Control, to give special attention to effective ways and means of implementing existing standards, to pay due attention to new developments in this area and to keep these matters under constant review;

9. *Invites* the specialized agencies and other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations concerned, to continue to co-operate with the Secretary-General in these endeavours by providing assistance, as may be appropriate, and by submitting proposals for relevant action to the Committee on Crime Prevention and Control;

10. *Decides* to consider at its forty-first session the question of human rights in the administration of justice.

*116th plenary meeting
13 December 1985*

40/147. Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 39/111 of 14 December 1984 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances,

Expressing its profound emotion at the anguish and sorrow of the families concerned, who should know the fate of their relatives,

Convinced of the importance of implementing the provisions of its resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances, with a view to finding solutions for cases of disappearances and helping to eliminate such practices,

Bearing in mind Commission on Human Rights resolution 1985/20 of 11 March 1985,³⁰ 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 1985/142 of 30 May 1985, in which the Council approved the Commission's decision,

1. *Expresses its appreciation* to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;

2. *Welcomes* the decision of the Commission on Human Rights to extend for one year the term of the mandate of the Working Group, as well as to study at its forty-second session the possibility of extending to two years the term of the mandate of the Working Group;

3. *Also welcomes* the provisions made by the Commission on Human Rights in its resolution 1985/20 to enable the Working Group to fulfil its mandate with even greater efficiency;

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;

¹⁹² First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat (United Nations publication, Sales No. 1956.IV.4), annex I.A.

¹⁹³ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report pre-

pared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. IV, sect. B.

¹⁹⁴ *Ibid.*, chap. I, sect. D.2.

¹⁹⁵ *Ibid.*, sect. D.1.

¹⁹⁶ Resolution 34/169, annex.

5. *Encourages* the Governments concerned to consider with special attention the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling the Group to fulfil its mandate even more effectively;

6. *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 to the Commission at its forty-second session;

7. *Renews its request* to the Secretary-General to continue to provide the Working Group with all necessary assistance.

*116th plenary meeting
13 December 1985*

40/148. 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,

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,

Recalling that 8 and 9 May 1985 marked the days of the fortieth anniversary of victory over nazism and fascism in the Second World War and of that struggle against them,

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,

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 racism and racial discrimination, hatred and terror to succeed,

Emphasizing that all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist ones, 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 relations between States and to the realization of human rights, fundamental freedoms and social progress in the world,

Acknowledging with satisfaction the fact that many States have established systems based on the inherent dignity and the equal and inalienable rights of all human beings, which are the basis of a democratic society and the best bulwark against totalitarian ideologies and practices, and have set up legal regulations which are suited to prevent the activities of Nazi, Fascist and neo-Fascist groups and organizations,

Noting that, nevertheless, in the contemporary world there continue to exist various forms of totalitarian ideologies and practices which entail contempt for the individual or denial of the intrinsic dignity and equality of all human beings, of equality of opportunity in civil, political, economic, social and cultural spheres, and of social justice,

Deeply alarmed at the existence of groups and organizations which propagate totalitarian ideologies and practices, including Nazi, Fascist and neo-Fascist ones, which violate human rights and fundamental freedoms, in particular the rights to self-determination, to life, liberty and security of person and to freedom from discrimination, and which thereby constitute a threat to the purposes and principles laid down in the Charter of the United Nations,

Conscious of the need to counter the spread of totalitarian ideologies and practices based on the systematic denial of human rights and fundamental freedoms, racial intolerance, hatred and terror,

Stressing that totalitarian régimes based on racial or ethnic exclusiveness or intolerance, hatred or terror or the systematic denial of human rights and fundamental freedoms seek to ensure their domination and their economic and social privileges at the expense of other peoples or racial or ethnic groups, which they oppress and exploit,

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 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, 37/179 of 17 December 1982, 38/99 of 16 December 1983 and 39/114 of 14 December 1984,

Recalling further the Declaration on Social Progress and Development,¹⁹⁷ the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,¹⁹⁸ the Declaration on the Granting of Independence to Colonial Countries and Peoples¹⁹⁸ and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,¹⁹⁹

Underlining the importance of the Universal Declaration of Human Rights,⁶ the International Covenants on Human Rights,²⁴ the International Convention on the Elimination of All Forms of Racial Discrimination,¹¹ the Convention on the Prevention and Punishment of the Crime of Genocide,²⁰⁰ the Convention on the Non-Applicability of Statutory Limitations to War Crimes and

¹⁹⁷ Resolution 1904 (XVIII).

¹⁹⁸ Resolution 1514 (XV).

¹⁹⁹ Resolution 36/55.

²⁰⁰ Resolution 260 A (III), annex.

Crimes against Humanity,²⁰¹ the International Convention on the Suppression and Punishment of the Crime of *Apartheid*¹² and other relevant international instruments,

Reaffirming that the ideologies and practices described above are incompatible with the purposes and principles of the Charter of the United Nations and the above-mentioned international instruments,

Mindful that the fortieth anniversary of the end of the Second World War served to mobilize efforts of the world community in its struggle against those ideologies and practices,

Viewing 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,

Expressing its concern that Fascist and Nazi and other totalitarian ideologies and practices are inherited, *inter alia*, by repressive racist régimes practising gross and flagrant violations of human rights and the systematic denial of human rights and fundamental freedoms,

1. *Again condemns* all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist ideologies, based on racial or ethnic exclusiveness or intolerance, hatred and terror, which deprive people of basic human rights and fundamental freedoms and of equality of opportunity, and expresses its determination to combat those ideologies and practices;

2. *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;

3. *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;

4. *Calls upon* all States, in accordance with the basic principles of international law, to refrain from practices aimed at the violation of basic human rights and which constitute a threat to peace and international security;

5. *Welcomes* the fact that on 8 May 1985 the Economic and Social Council held a solemn commemorative ceremony, in the light of General Assembly resolution 39/114, the purpose of which was to underline the continuing relevance of the Charter of the United Nations, the importance of international co-operation towards peace, security and development and the promotion of human rights and fundamental freedoms and in particular the fundamental right to life, liberty and security of person;

6. *Gives expression to the respect* felt by today's generation for the victims of and the struggle of peoples against nazism and fascism in the Second World War and for the establishing of the United Nations in order to save mankind from the scourge of war and to reaffirm faith in fundamental human rights and in the dignity and worth of the human person;

7. *Appeals* to all States that have not yet done so to become parties to the International Covenants on Human Rights, the Convention on the Prevention and Punish-

ment 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 and the International Convention on the Suppression and Punishment of the Crime of *Apartheid*;

8. *Reiterates its request* to the appropriate specialized agencies, as well as other intergovernmental organizations and international non-governmental organizations, to initiate or intensify measures against the ideologies and practices described in paragraph 1 above;

9. *Requests* the Secretary-General to ensure that the Department of Public Information of the Secretariat pays due attention to the dissemination of information exposing the ideologies and practices described in paragraph 1 above;

10. *Invites* all States and international organizations to submit to the Secretary-General their comments and information on the implementation of the present resolution;

11. *Requests* the Secretary-General to submit a report, through the Economic and Social Council, to the General Assembly at its forty-first 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.

*116th plenary meeting
13 December 1985*

40/149. Human rights and mass exoduses

The General Assembly,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are among the multiple and complex factors causing mass exoduses of refugees, as indicated in the study of the Special Rapporteur of the Commission on Human Rights on this subject,²⁰²

Considering the efforts which have been made to address this subject within the United Nations, in particular by the Commission on Human Rights,

Aware of the recommendations concerning mass exoduses made by the Commission on Human Rights to its Sub-Commission on Prevention of Discrimination and Protection of Minorities and to the special rapporteurs for their study of the violations of human rights in any part of the world,

Deeply preoccupied by the increasingly heavy burden being imposed upon the international community as a whole, particularly upon developing countries with limited resources of their own, by these sudden mass exoduses and displacements of population,

Stressing the need to improve international co-operation aimed at the prevention of new massive flows of refugees in parallel with the provision of adequate solutions to actual refugee situations,

Taking note of the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,²⁰³

²⁰¹ Resolution 2391 (XXIII), annex.
²⁰² E/CN.4/1503*.

²⁰³ A/40/385, annex.

*Taking note once again of the report of the Secretary-General on human rights and mass exoduses,*²⁰⁴

Recalling its resolutions 35/196 of 15 December 1980, 37/186 of 17 December 1982, 38/103 of 16 December 1983 and 39/117 of 14 December 1984 and Commission on Human Rights resolutions 30 (XXXVI) of 11 March 1980,²⁵ 29 (XXXVII) of 11 March 1981,²⁶ 1982/32 of 11 March 1982,²⁷ 1983/35 of 8 March 1983²⁸ and 1985/40 of 13 March 1985,³⁰

1. *Welcomes* the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes;

2. *Invites* Governments and international organizations to intensify their co-operation and assistance in world-wide efforts to address the serious problem of mass exoduses of refugees and displaced persons;

3. *Welcomes* the special interest which the Secretary-General has taken in this question, and reiterates its

²⁰⁴ A/38/538.

request to him to follow closely developments in the field of human rights and mass exoduses;

4. *Encourages* the Secretary-General in his efforts to enable the United Nations to anticipate and react more adequately and speedily to cases requiring humanitarian assistance, as mentioned in the report of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-ninth session;²⁰⁵

5. *Invites* the Commission on Human Rights to keep the question of human rights and mass exoduses under review with the objective of making appropriate recommendations concerning the further measures to be taken in this field;

6. *Decides* to review the question of human rights and mass exoduses at its forty-first session.

*116th plenary meeting
13 December 1985*

²⁰⁵ *Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 1 (A/39/1).*

VII. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FOURTH COMMITTEE¹

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40/41. 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,²

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, including in particular its resolution 39/31 of 5 December 1984,

Taking into account the statement of the representative of the administering Power relating to American Samoa,³

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,

Noting that the first five-year economic development plan for the Territory, implemented by the Development Planning Office of the Government of American Samoa, expired at the end of 1984,

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 dispatch in 1981 of a United Nations visiting mission to 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

¹ For the decisions adopted on the reports of the Fourth Committee, see sect. X.B.6.

² *Official Records of the General Assembly, Fortieth Session, Supplement No. 23 (A/40/23)*, chaps. II, IV and XVI.

³ *Ibid.*, *Fortieth Session, Fourth Committee*, 17th meeting, para. 53.

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;⁴

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 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 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 rights, interests and wishes of the people of American Samoa as expressed freely in conditions leading to real self-determination, 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, and reaffirms the importance of fostering an awareness among the people of American Samoa of the possibilities open to them in the exercise of their right to self-determination and independence;

5. *Takes note* of the elections held on 6 November 1984 and of the fact that the newly elected Governor has stated his intention to recommend legislation establishing clearly the powers and duties of the various government departments in order to avoid conflicts of authority and to ensure sufficient budgetary control;⁵

6. *Reaffirms* the responsibility of the administering Power, under the Charter, to promote the economic and social development of American Samoa, and calls upon the administering Power to intensify its efforts to strengthen and diversify the economy of the Territory and to make it more viable in order to reduce its heavy economic and financial dependence on the United States and to create employment opportunities for the people of the Territory;

7. *Expresses the hope* that the development planning process initiated by the first five-year development plan will be continued, and urges the administering Power, in co-operation with the territorial Government, to strengthen and extend the responsibilities of the Development Planning Office;

8. *Urges* the administering Power to continue to facilitate close relations and co-operation between the peoples of the Territory and the neighbouring island communities and between the territorial Government and the regional institutions in order to enhance further the economic and social welfare of the people of American Samoa;

9. *Urges* the administering Power, in co-operation with the territorial Government, to safeguard the inalienable right of the people of American Samoa 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 with a view to creating conditions for a balanced and viable economy;

10. *Considers* that the possibility of sending a further visiting mission to American Samoa should be kept under review;

11. *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 American Samoa, in consultation with the administering Power, taking into account, in particular, the wishes of the people of the Territory, and to report thereon to the General Assembly at its forty-first session.

99th plenary meeting
2 December 1985

40/42. 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,⁶

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, including in particular its resolution 39/32 of 5 December 1984,

Having heard the statement of the representative of the administering Power relating to Guam,⁷

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,

Recalling that a Guam Commission on Self-Determination was appointed in February 1984 to deal with the status question in a manner acceptable to the people of the Territory,

Taking note of the statement by the representative of the administering Power that the Department of Defense had authorized the release of some 2,000 hectares of land previously under its control,

Noting the great potential offered for diversifying and developing the economy of the Territory, for example, commercial fishing and agriculture,

Taking note of the steps taken by the territorial Government, with the support of the administering Power, to develop and promote the language and culture of the Chamorro people, who are the indigenous people of the Territory,

Aware of the special circumstances of the geographical location and economic conditions of Guam, 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 dispatch in 1979 of a United Nations visiting mission to 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,

⁴ *Ibid.*, Fortieth Session, Supplement No. 23 (A/40/23), chap. XVI.

⁵ *Ibid.*, para. 9.

⁶ *Ibid.*, Supplement No. 23 (A/40/23), chaps. II, IV, VI and XVII.

⁷ *Ibid.*, Fortieth Session, Fourth Committee, 17th meeting, paras. 55-57.

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;⁸

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, which fully applies to Guam;

4. *Reaffirms* the importance of fostering an awareness among the people of Guam of the possibilities open to them with regard to their right to self-determination, and calls upon the administering Power, in co-operation with the territorial Government, to expedite the process of decolonization strictly in accordance with the expressed wishes of the people of the Territory;

5. *Takes note* of the statement by the representative of the administering Power that the Guam Commission on Self-Determination, which was appointed in February 1984 to deal with the status question in a manner acceptable to the people of the Territory for submission to the Congress of the United States of America for approval, hopes to hold a local referendum before the end of 1985;⁹

6. *Takes note* of the statement of the representative of the United States affirming that his Government respects the wish of the Guamanians to control their own destiny both politically and economically;⁹

7. *Reaffirms its strong conviction* that the presence of military bases and installations in the Territory could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Power to ensure that the existence of such bases and installations does not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

8. *Urges* the administering Power to continue to take all necessary measures not to involve the Territory in any offensive acts or interference against any other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

9. *Reaffirms* the responsibility of the administering Power, under the Charter, for the economic and social development of Guam, and, in this connection, 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;

10. *Reiterates* the view that one obstacle to economic development, particularly in the agricultural sector, stems from the fact that large tracts of land are held by the federal authorities, and calls upon the administering Power, in co-operation with the local authorities, to continue the transfer of land to the people of the Territory;

11. *Notes* that a settlement was reached in 1984 between representatives of former Guamanian landowners and the administering Power under which the former will receive \$39.5 million in compensation for land taken over

by the United States Government from 1944 to 1963, it being the right of individual claimants not to participate in this settlement and continue to press their own claims;

12. *Reiterates its call* upon the administering Power to support measures by the territorial Government aimed at removing constraints to growth in the areas of agriculture and commercial fishing and to ensure their development to the fullest extent;

13. *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;

14. *Reaffirms* the importance of further efforts by the territorial Government, with the support of the administering Power, to develop and promote the language and culture of the Chamorro people, who are the indigenous people of the Territory;

15. *Considers* that the possibility of sending a further visiting mission to Guam at an appropriate time should be kept under review;

16. *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 Guam at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-first session.

99th plenary meeting
2 December 1985

40/43. 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,¹⁰

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, including in particular its resolution 39/33 of 5 December 1984,

Noting the stated position of the administering Power that it will 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,

Welcoming the continued co-operation 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,

Aware of the special circumstances of the geographical location and economic conditions of Bermuda, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

⁸ *Ibid.*, Fortieth Session, Supplement No. 23 (A/40/23), chap. XVII.

⁹ *Ibid.*, para. 9.

¹⁰ *Ibid.*, Supplement No. 23 (A/40/23), chaps. II, IV-VI and XIX.

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 Bermuda;¹¹

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, which fully applies to Bermuda;

4. *Urges* the United Kingdom of Great Britain and Northern Ireland, as the administering Power, taking into account the rights, interests and wishes of the people of Bermuda expressed freely in conditions leading to real self-determination, to continue to take all necessary steps to ensure the full and speedy implementation of resolution 1514 (XV);

5. *Reiterates* that it is the obligation of the administering Power to create such conditions in Bermuda as will enable the people of that Territory to exercise freely and without interference their inalienable right to self-determination and independence in accordance with 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 resolution 1514 (XV), it is ultimately for the people of Bermuda themselves to determine their own future political status;

7. *Reaffirms its strong conviction* that the presence of military bases and installations in Bermuda could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Power to ensure that the existence of such bases and installations does not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter;

8. *Urges* the administering Power to continue to take all necessary measures not to involve the Territory in any offensive acts or interference directed against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

9. *Urges once again* the administering Power, in cooperation 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 over their future development with a view to creating conditions for a balanced and viable economy;

10. *Welcomes* the role being played in the Territory by the United Nations Development Programme, specifically

in programmes 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;

11. *Urges* the administering Power to continue, in cooperation with the territorial Government, the assistance necessary for the employment of the local population in the civil service, particularly at senior levels;

12. *Emphasizes* the desirability of sending a visiting mission to the Territory at the earliest possible opportunity;

13. *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 forty-first session.

99th plenary meeting
2 December 1985

40/44. 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,¹²

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 British Virgin Islands, including in particular its resolution 39/34 of 5 December 1984,

Noting the stated position of the administering Power that it will 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 to promote the economic and social development of the Territory,

Noting with concern that during the period under review the international economic crisis caused tourism and its supportive services, the mainstay of the economy, to slow down, and taking note that construction activities increased and that the territorial Government, in its continued efforts to broaden the base of the economy, was re-examining its industrialization programme,

Aware of the special circumstances of the geographical location and economic conditions of the British Virgin Islands, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Welcoming the contribution to the development of the Territory by the United Nations Development Pro-

¹¹ *Ibid.*, chap. XIX.

¹² *Ibid.*, chaps. II, IV, V and XX.

gramme, the United Nations Fund for Population Activities, the United Nations Children's Fund, the United Nations Industrial Development Organization, specialized agencies and other organizations of the United Nations system operating in the Territory, and noting the continued participation of the Territory in the Caribbean Group for Co-operation in Economic Development, as well as in regional organizations, including in particular the Caribbean Development Bank,

Welcoming also the participation of the Territory as an associate member in the work of the United Nations Educational, Scientific and Cultural Organization, the Economic Commission for Latin America and the Caribbean and its subsidiary body, the Caribbean Development and Co-operation Committee, as well as in various other international and regional organizations,

Recalling the dispatch in 1976 of a United Nations visiting mission to 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;¹³

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 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 the British Virgin Islands;

4. *Reiterates* that it is the responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in the British Virgin 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 resolution 1514 (XV), as well as all other relevant resolutions of the General 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, in that connection, 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. *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 co-operation with the territorial Government, to intensify its efforts in this regard;

7. *Urges* the administering Power, in co-operation with the territorial Government, to safeguard the inalienable right of the people of the British Virgin Islands 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;

8. *Urges* the specialized agencies and other organizations of the United Nations system to intensify measures to accelerate progress in the social and economic life of the Territory;

9. *Reiterates* its call upon the administering Power to facilitate the further participation of the British Virgin Islands in various international and regional organizations and in other organizations of the United Nations system;

10. *Considers* that the possibility of sending a further visiting mission to the British Virgin Islands at an appropriate time should be kept under review;

11. *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 forty-first session.

99th plenary meeting
2 December 1985

40/45. 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,¹⁴

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, including in particular its resolution 39/35 of 5 December 1984,

Noting the stated position of the administering Power that it will fully respect the wishes of the people of the Cayman 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 that although the main sectors of the economy of the Cayman Islands, specifically tourism, international finance and real estate, continued to sustain some degree of growth during the period under review, they have been negatively affected by the world economic crisis,

Aware of the special circumstances of the geographical location and economic conditions of the Cayman Islands, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Noting with appreciation the continued contribution of the United Nations Development Programme to the development of the Territory,

Recalling the dispatch in 1977 of a United Nations visiting mission to 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 Implemen-

¹³ *Ibid.*, chap. XX.

¹⁴ *Ibid.*, chaps. II, IV, V and XXI.

tation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Cayman Islands;¹⁵

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 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 the Cayman Islands;

4. *Notes with appreciation* the participation of the United Kingdom of Great Britain and Northern Ireland, as 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 resolution 1514 (XV), as well as all other relevant resolutions of the General 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, in that connection, 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 and independence;

7. *Reaffirms* the responsibility of the administering Power to promote 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;

8. *Takes note* of the statement of the administering Power to the effect that, despite the poor quality of the soil in the Territory, a study conducted by the territorial Government in 1984 revealed some possibilities in the field of poultry, agricultural and pastoral farming;¹⁶

9. *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;

10. *Calls upon* 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 take all necessary measures to accelerate progress in the social and economic life of the Cayman Islands;

11. *Notes with appreciation* the continued contribution of the United Nations Development Programme to the development of the Territory;

12. *Considers* that the possibility of sending a further visiting mission to the Cayman Islands at an appropriate time should be kept under review;

13. *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 forty-first session.

99th plenary meeting
2 December 1985

40/46. 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,¹⁷

Recalling its resolution 1514 (XV) of 14 December 1965, 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 Montserrat, including in particular its resolution 39/36 of 5 December 1984,

Noting the stated position of the administering Power that it will respect the wishes of the people of Montserrat in determining the future political status of the Territory,

Noting the view of the Government of Montserrat that independence was inevitable and desirable and, in that connection, that the territorial Government would prepare programmes of political education by which to increase the people's awareness of the benefits of independence,

Noting with concern that during the period under review the international economic crisis continued to have an adverse effect on the territorial economy and resulted in zero growth in the gross domestic product and a reduction in the rate of growth of employment and incomes.

Welcoming the fact that an increasing number of people from the Territory are being employed in the civil service, particularly at the higher echelon, including the appointment of a national as Chief Medical Officer, and noting the recommendations for salary increases made by the Salaries Commission on public service salaries and conditions,

Welcoming also the contribution to the development of Montserrat by the United Nations Development Programme, the United Nations Children's Fund, specialized agencies and other organizations of the United Nations system operating in the Territory, and noting the continued participation of the Territory in the Caribbean Group for Co-operation in Economic Development, as well as in regional organizations such as the Caribbean Community and its associated institutions, including the Caribbean Development Bank,

Aware of the special circumstances of the geographical location and economic conditions of Montserrat, 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 dispatch in 1975 and 1982 of United Nations visiting missions to the Territory,

Mindful that visiting missions provide an effective means of ascertaining the situation in the small Territories, and expressing its satisfaction at the willingness of

¹⁵ *Ibid.*, chap. XXI.

¹⁶ *Ibid.*, para. 9.

¹⁷ *Ibid.*, Supplement No. 23 (A/40/23), chaps. II, IV, V and XXI.

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 Montserrat;¹⁸

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);

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 United Kingdom of Great Britain and Northern Ireland, as the administering Power, in the work of the Special Committee in regard to Montserrat, 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 Montserrat as will enable its people to exercise freely and without interference, from a well-informed standpoint as to the available options, their inalienable right to self-determination and independence in accordance with resolution 1514 (XV), as well as all other relevant resolutions of the General 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, in co-operation with the territorial Government, to launch programmes to foster an awareness among the people of the Territory of the possibilities available to them in the exercise of their right to self-determination and independence;

7. *Reaffirms* the responsibility of the administering Power to promote the economic and social development of Montserrat and, in co-operation with the territorial Government, to continue to strengthen the economy and to increase its assistance to programmes of diversification in order to promote the economic and financial viability of the Territory;

8. *Urges* the administering Power to take the necessary measures in co-operation with the territorial Government to restore sustained and balanced growth to the economy of Montserrat and to intensify its assistance in the development of all sectors thereof, which will benefit the people of the Territory;

9. *Also urges* the administering Power, in co-operation with the territorial Government, 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;

10. *Urges* the administering Power to continue, in co-operation with the territorial Government, the assistance necessary for the employment of the local population in the civil service, particularly at senior levels;

11. *Calls upon* the United Nations system of organizations, 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. *Considers* that the possibility of sending a further visiting mission to Montserrat at an appropriate time should be kept under review;

13. *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 forty-first session.

99th plenary meeting
2 December 1985

40/47. 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,¹⁹

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, including in particular its resolution 39/37 of 5 December 1984,

Noting the stated position of the administering Power that it will 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 informed and meaningful examination of the situation in the Territory,

Aware of the special circumstances of the geographical location and economic conditions of the Turks and Caicos Islands, 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,

Noting the statement of the administering Power that an experimental farm has been set up on North Caicos to study agricultural techniques,

Welcoming the continuing contribution of the United Nations Development Programme to the development of the Territory,

Recalling the dispatch in 1980 of two United Nations visiting missions to 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,

¹⁸ *Ibid.*, chap. XXII.

¹⁹ *Ibid.*, chaps. II, IV-VI and XXIII.

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;²⁰

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 to self-determination and independence in conformity with the Declaration, which fully applies to the Turks and Caicos Islands;

4. *Reiterates* that it is the obligation of the United Kingdom of Great Britain and Northern Ireland, as 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 resolution 1514 (XV), as well as other relevant resolutions of the General 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, which will benefit the people of the Territory;

7. *Recalls* that it is the responsibility of the administering Power, in accordance with the wishes of the people of the Turks and Caicos Islands, 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 natural resources and to establish and maintain control of their future development;

8. *Takes note* of the statement of the administering Power to the effect that the military facility in the Turks and Caicos Islands was closed in 1984, that the territorial Government now has complete control over the disposition of the land vacated by the base and that the land is now being used for various activities which are beneficial to the economy and the people of the Territory;²¹

9. *Urges* the specialized agencies and other organizations of the United Nations system, as well as such regional institutions as the Caribbean Development Bank, to continue to pay special attention to the development needs of the Turks and Caicos Islands;

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 the economy and the society of 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 forty-first session.

99th plenary meeting
2 December 1985

40/48. Question of Anguilla

The General Assembly,

Having considered the question of Anguilla,

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,²²

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 Anguilla, including in particular its resolution 39/39 of 5 December 1984,

Noting the stated position of the administering Power that it will respect the wishes of the people of Anguilla 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 participation of the administering Power in the work of the Special Committee in regard to Anguilla, 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 to promote the economic and social development of the Territory,

Noting that during the period under review the economy of Anguilla remained buoyant,

Noting that, as a result of a comprehensive review of the civil service and police force undertaken during 1984, salaries and allowances were increased,

Welcoming the contribution to the development of the Territory by the United Nations Development Programme, specialized agencies and other organizations of the United Nations system operating in Anguilla, and noting the separate illustrative indicative planning figure established for Anguilla by the Programme for the period 1982-1986,

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,

Aware of the special circumstances of the geographical location and economic conditions of Anguilla, 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 dispatch in 1984 of a United Nations visiting mission to the Territory,

²⁰ *Ibid.*, chap. XXIII.

²¹ *Ibid.*, para. 9.

²² *Ibid.*, Supplement No. 23 (A/40/23), chaps. II, IV and XXIV.

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 Anguilla;²³

2. *Reaffirms* the inalienable right of the people of Anguilla 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, which fully applies to Anguilla;

4. *Reiterates* that it is the responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in Anguilla as will enable its people to exercise freely and without interference, from a well-informed standpoint as to the available options, their inalienable right to self-determination and independence in accordance with resolution 1514 (XV), as well as all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of Anguilla themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and, in that connection, 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 and independence;

6. *Calls upon* the administering Power to continue, in co-operation with the territorial Government, to strengthen the economy of Anguilla and to increase its assistance to programmes of diversification;

7. *Notes* that, although the Territory was no longer in need of a grant from the administering Power to balance its recurrent budget for 1984, the Government of the United Kingdom agreed to provide a special grant to clear the deficit accumulated between 1977 and 1983;

8. *Urges* the administering Power to take effective measures, in co-operation with the territorial Government, to safeguard, guarantee and ensure the rights of the people of Anguilla to own and dispose of their natural resources and to establish and maintain control over their future development;

9. *Urges* the administering Power to continue, in co-operation with the territorial Government, the assistance necessary for the increased employment of the local population in the civil service, particularly at senior levels;

10. *Reiterates its request* to the administering Power, in the light of the observations, conclusions and recommendations of the United Nations Visiting Mission to Anguilla, 1984,²⁴ to continue to enlist the assistance of the specialized agencies and other organizations of the United Nations system, as well as other regional and international bodies, in the development and strengthening of the economy of Anguilla;

11. *Calls upon* the administering Power to continue to facilitate the participation of Anguilla in the Economic

Commission for Latin America and the Caribbean and its subsidiary body, the Caribbean Development and Co-operation Committee, and in other organizations of the United Nations system, including the Caribbean Group for Co-operation in Economic Development;

12. *Considers* that the possibility of sending a further visiting mission to Anguilla at an appropriate time should be kept under review;

13. *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 Anguilla at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-first session.

99th plenary meeting
2 December 1985

40/49. 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,²⁵

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, including in particular its resolution 39/38 of 5 December 1984,

Noting with appreciation the continued active participation of the administering Power and the representative of the territorial Government 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 with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration,

Taking into account the statement of the representative of the administering Power that the Territory of the United States Virgin Islands enjoys a large measure of self-government through its elected representatives, namely, the Governor, members of the Legislature and the Territory's non-voting delegate to the United States House of Representatives, and noting the recent general elections in the Territory,

Noting with concern that the economy of the Territory was, as described by the Governor, "temporarily depressed", particularly in the tourist, construction and industrial sectors, as well as in the delivery of government services, and noting that the Territory's industrial development programme would suffer a setback as a result of the announced plan of Martin Marietta Alumina, Inc. for the closure of its aluminium plant in the Territory in 1985,

Welcoming the continued participation of the United States Virgin Islands, as an associate member, in the work of the Economic Commission for Latin America and the Caribbean and its subsidiary bodies, including the Caribbean Development and Co-operation Committee, and noting the participation of a representative of the Territory as a member of the delegation of the administering Power at annual meetings of the Caribbean Group for Co-operation in Economic Development since 1982,

²³ *Ibid.*, chap. XXIV.

²⁴ A/AC.109/799, sect. IV.

²⁵ *Official Records of the General Assembly, Fortieth Session, Supplement No. 23 (A/40/23)*, chaps. II, IV-VI and XXV.

Noting with satisfaction the statement of the administering Power that it endorsed the policy that representatives of the Territory should participate in forums in which the Territory was the subject of discussion,

Aware of the special circumstances of the geographical location and economic conditions of the United States Virgin Islands, 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 dispatch in 1977 of a United Nations visiting mission to 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 United States Virgin Islands;²⁶

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 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 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 to exercise freely and without interference their inalienable right to self-determination and independence, in conformity with resolution 1514 (XV), as well as all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of the United States 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, in that connection, 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. *Notes* that the Select Committee, established by the Legislature of the United States Virgin Islands in 1983 to ascertain the views of the people of the Territory on their future status and to make recommendations in that regard, conducted public hearings from March to August 1984 and submitted its report to the Sixteenth Legislature in January 1985;²⁷

7. *Also notes* that the Legislature endorsed the report, which included, *inter alia*, a recommendation that a referendum on the status issue should be held on 4 November 1986, in conjunction with the next general election, for people of the United States Virgin Islands to choose between a variety of status options including independence, statehood, free association, incorporated territory, *status quo* or a compact of federal relations;²⁷

8. *Further notes* that the Legislature decided to appoint a new committee to continue the process of public hear-

ings in order to ensure that the people of the United States Virgin Islands were fully aware of the implications of the various status options by the time of the referendum;²⁷

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 the economic dependence of the Territory on the administering Power;

10. *Reaffirms* the responsibility of the administering Power under the Charter to promote the economic and social development of the United States Virgin Islands;

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 to guarantee their right to own and dispose of those resources and to establish and maintain control of their future development;

12. *Urges* the administering Power to seek in the Caribbean Group for Co-operation in Economic Development a status for the territorial Government similar to that of other dependent Territories within the Group;

13. *Calls upon* the administering Power to facilitate further the participation of the United States Virgin Islands in various regional intergovernmental bodies and organizations, particularly in their central organs, and in other organizations of the United Nations system;

14. *Urges* the administering Power to continue to take all necessary measures to comply fully with the purposes and principles of the Charter, the Declaration and the relevant resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

15. *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;

16. *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 forty-first session.

99th plenary meeting
2 December 1985

40/50. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 39/40 of 5 December 1984 on the question of Western Sahara,

Having examined the relevant 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,²⁸

Taking note of the report of the Secretary-General on the question of Western Sahara,²⁹

²⁶ *Ibid.*, chap. XXV.

²⁷ *Ibid.*, para. 10.

²⁸ *Ibid.*, Supplement No. 23 (A/40/23), chap. X.

²⁹ A/40/692 and Corr.1.

Recalling resolution AHG/Res.104 (XIX) on Western Sahara,³⁰ 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,

1. *Reaffirms* that the question of Western Sahara is a question of decolonization which remains to be completed on the basis of the exercise by the people of Western Sahara of their inalienable right to self-determination and independence;

2. *Reaffirms also* that the solution of the question of Western Sahara lies in the implementation of resolution AHG/Res.104 (XIX) of the Assembly of Heads of State and Government of the Organization of African Unity, which establishes ways and means for a just and definitive political solution to the Western Sahara conflict;

3. *Again requests*, to that end, the two parties to the conflict, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, to undertake direct negotiations, in the shortest possible time, 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;

4. *Welcomes* the efforts of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to promote a just and definitive solution of the question of Western Sahara;

5. *Invites* the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to exert every effort to persuade the two parties to the conflict, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, to negotiate, in the shortest possible time and in conformity with resolution AHG/Res.104 (XIX) and the present resolution, the terms of a cease-fire and the modalities for organizing the said referendum;

6. *Reaffirms* the determination of the United Nations to co-operate fully with the Organization of African Unity with a view to implementing the relevant decisions of that organization, in particular resolution AHG/Res.104 (XIX);

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 consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its forty-first session;

8. *Invites* the Secretary-General of the Organization of African Unity to keep the Secretary-General of the United Nations informed of the progress achieved in the implementation of the decisions of the Organization of African Unity relating to Western Sahara;

9. *Invites* the Secretary-General to follow the situation in Western Sahara closely with a view to the implementation of the present resolution and to report thereon to the General Assembly at its forty-first session.

99th plenary meeting
2 December 1985

40/51. 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 Nations³¹ and the action taken by the Committee in respect of that information,

Having also examined the report of the Secretary-General on the question,³²

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 on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 39/41 of 5 December 1984, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

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 in 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;

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 forty-first session.

99th plenary meeting
2 December 1985

40/52. 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

³⁰ For the text, see resolution 38/40, para. 1.

³¹ Official Records of the General Assembly, Fortieth Session, Supplement No. 23 (A/40/23), chap. VIII.

³² A/40/629.

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 the item,³³

Taking into consideration the relevant chapters of the report of the United Nations Council for Namibia,³⁴

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,

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,

Recalling the relevant provisions of the consensus on Namibia adopted by 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 extraordinary session held at Tunis from 13 to 17 May 1985,³⁵

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 1983,³⁶ and of the Final Document of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of Non-Aligned Countries on the question of Namibia, held at New Delhi from 19 to 21 April 1985,³⁷

Taking into account the relevant provisions of the Declaration and Programme of Action contained in the Final Document adopted by the United Nations Council for

Namibia at its extraordinary plenary meetings held at Vienna from 3 to 7 June 1985,³⁸

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) of 12 October 1970 and 39/42 of 5 December 1984, by which the Assembly called upon the colonial Powers and those 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 the régime 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 by certain Western and other countries with the racist minority régime of South Africa in the nuclear field which, by providing that régime with nuclear equipment and technology, enables 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 natural resources of Namibia, including its marine resources, are the inviolable and incontestable 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,³⁹ 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 1971,⁴⁰ is illegal, contributes to the maintenance of the illegal occupation régime and is a grave threat to the integrity and prosperity of an independent Namibia,

Concerned about the conditions in other colonial Territories, including certain Territories in the Caribbean and the Pacific Ocean 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

³³ *Official Records of the General Assembly, Fortieth Session, Supplement No. 23 (A/40/23), chap. V.*

³⁴ *Ibid.*, Supplement No. 24 (A/40/24), part two, chap. II, sect. C, and chap. IX, sect. C.

³⁵ *Ibid.*, Supplement No. 23 (A/40/23), chap. IX, para. 12.

³⁶ A/38/132-S/15675 and Corr.1 and 2, annex.

³⁷ A/40/307-S/17184 and Corr.1, annex.

³⁸ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 24 (A/40/24)*, para. 513.

³⁹ *Ibid.*, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

⁴⁰ *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.*

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, and emphasizing the importance of action by local authorities, trade unions, religious bodies, academic institutions, mass media, solidarity movements and other non-governmental organizations, as well as individuals, in exercising pressure on transnational corporations to refrain from any investment or activity in the Territory of Namibia, in encouraging a policy of systematic divestment of any financial or other interest in corporations doing business with South Africa and in counteracting all forms of collaboration with the occupation régime in Namibia,

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 perpetuation 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 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 and other countries 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 the remaining colonial 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, at promoting the economic and financial viability of those Territories and at speeding their accession to independence, and, in that connection, requests the administering Powers concerned to ensure that the peoples of the Territories under their administration are not exploited for political, military and other purposes detrimental to their interests;

8. *Strongly condemns* those Western and all other countries, 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 the racist régime of South Africa in the political, diplomatic, economic, trade, military and nuclear fields and to refrain from entering into other relations with that régime 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, leading to the rapid depletion of such resources, 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. *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;

15. *Calls upon* those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the racist régime of South Africa;

16. *Reiterates* that the exploitation and plundering of the marine and other natural resources of Namibia by South African and other foreign economic interests, inclu-

ding 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, contribute to the maintenance of the illegal occupation régime and are a grave threat to the integrity and prosperity of an independent Namibia;

17. *Condemns* the plunder of Namibian uranium, and calls upon the Governments of all States, particularly those whose nationals and corporations are involved in the mining or enrichment of, or traffic in, 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;

18. *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,⁴¹ which regulates the activities of Urenco;

19. *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, 37/233 A of 20 December 1982, 38/36 A of 1 December 1983 and 39/50 A of 12 December 1984;

20. *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;

21. *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;

22. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial Territories to their natural resources and to establish and maintain control over their future development, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

23. *Calls upon* the administering Powers concerned 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;

24. *Requests* the Secretary-General to undertake, 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;

25. *Appeals* to mass media, trade unions and other non-governmental organizations, as well as individuals, to co-ordinate and intensify their efforts to mobilize international public opinion against the policy of the *apartheid* régime of South Africa and to work for the enforcement of economic and other sanctions against that régime and for encouraging a policy of systematic divestment in corporations doing business in South Africa;

26. *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 examine this question and to report thereon to the General Assembly at its forty-first session.

99th plenary meeting
2 December 1985

40/53. 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 considered 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, including in particular resolution 39/43 of 5 December 1984,

Having examined the reports submitted on the item by the Secretary-General,⁴² the Economic and Social Council⁴³ 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,⁴⁴

Recalling also its resolutions ES-8/2 of 14 September 1981 and 39/50 of 12 December 1984 on the question of Namibia,

Taking into account the relevant provisions of the Paris Declaration on Namibia and the Programme of Action on Namibia,⁴⁵ adopted at the International Conference in Support of the Struggle of the Namibian People for Independence, and the Declaration and Programme of Action contained in the Final Document adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Vienna from 3 to 7 July 1985,³⁸

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

⁴¹ United Nations, *Treaty Series*, vol. 795, No. 11326, p. 308.

⁴² A/40/318 and Add.1.

⁴³ *Official Records of the General Assembly, Fortieth Session, Supplement No. 3 (A/40/3/Rev.1)*, chaps. I and VI.

⁴⁴ *Ibid.*, Supplement No. 23 (A/40/23), chap. VII.

⁴⁵ 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)*, part three.

New Delhi from 7 to 12 March 1983,³⁶ the Final Document of the Extraordinary Ministerial Meeting of the Coordinating Bureau of Non-Aligned Countries on the question of Namibia, held at New Delhi from 19 to 21 April 1985,³⁷ and other documents of the Co-ordinating Bureau,

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 of 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, and the so-called policy of constructive engagement, 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,

Concerned that the policy of "constructive engagement" with the *apartheid* régime of South Africa, linked with the economic and military collaboration maintained by some Western countries and Israel with Pretoria, has only encouraged and strengthened the racist régime in its continued illegal occupation and massive militarization and exploitation of Namibia in violation of the relevant resolutions and decisions of the United Nations,

Gravely concerned at the continued imperialist and neo-colonialist support for South Africa's oppressive and aggressive policies in Namibia and with respect to independent States in southern Africa, in particular the front-line States, as exemplified by the discussions and resolutions of the Security Council,

Conscious of the worsening of the situation in southern Africa because of South Africa's racist policies of oppression, aggression and occupation, which constitute a clear threat to world peace and security,

Deeply conscious of the continuing 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,

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,

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,

Expressing its firm belief that closer contacts and consultations between the specialized agencies and other organizations of the United Nations system on the one hand and the Organization of African Unity and the South West Africa People's Organization on the other will help those

agencies and organizations to overcome procedural and other difficulties which have impeded or delayed the implementation of some assistance programmes,

Recalling its resolution 39/50 C of 12 December 1984 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 it has extended 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,

Commending the continued substantial contribution of the United Nations Educational, Scientific and Cultural Organization to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the effective support it provides to the liberation movements in educating the populations of colonial Territories concerning self-determination and independence,

Noting 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, thus enhancing neo-colonialist practices in the system of international relations,

Gravely concerned at the continued collaboration between the International Monetary Fund and the Government of South Africa in disregard of relevant General Assembly resolutions, in particular resolution 37/2 of 21 October 1982,

Mindful of the imperative need to keep 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,

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, and taking into account the consultations held by the Special Committee with non-governmental organizations and the relevant conclusions and recommendations on the seminars held by the Special Committee with non-governmental organizations at Port Moresby from 4 to 7 March 1985 and at Havana from 8 to 10 April 1985,⁴⁶

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

⁴⁶ Official Records of the General Assembly, Fortieth Session, Supplement No. 23 (A/40/23), chap. II, annex I.

to Colonial Countries and Peoples relating to the question;⁴⁷

2. *Reaffirms* that the specialized agencies and other organizations and institutions 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 General Assembly resolution 1514 (XV) 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, or support for, the legitimacy of the domination of the Territory of Namibia by the racist régime of South Africa;

8. *Regrets* that the World Bank and also the International Monetary Fund continue to maintain links with the racist régime of Pretoria, as exemplified by the continued participation of South Africa in the work of 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, and calls upon the International Monetary Fund to put an end to such collaboration and not to grant any new loans to the racist régime of South Africa;

10. *Urges once again* 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;

11. *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;

12. *Requests once again* 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 so as to enable them to achieve genuine economic independence;

13. *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);

14. *Recommends* that a separate item on assistance to national liberation movements recognized by the Organization of African Unity should be included in the agenda of future high-level meetings between the General Secretariat of the Organization of African Unity and the secretariats of the United Nations and other organizations of the United Nations system with a view to strengthening further the existing measures of co-ordination of action to ensure the best use of available resources for assistance to the peoples of the colonial Territories;

15. *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 General Assembly resolution 1514 (XV) and the other relevant resolutions of the United Nations;

16. *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;

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

⁴⁷ *Ibid.*, chap. VII.

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. *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 colonial Territories, particularly in the development of their economies;

19. *Requests* the specialized agencies to abide by Security Council resolution 566 (1985) of 19 June 1985, in which the Council condemned the racist régime of South Africa for its installation of a so-called interim Government in Namibia and declared that action to be illegal and null and void;

20. *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 General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations and, in that connection, 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;

21. *Reiterates its proposal*, under article III of the Agreement between the United Nations and the International Monetary Fund,⁴⁸ 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 compliance with the above-mentioned Agreement, and to report to the Secretary-General of the United Nations on the action taken;

22. *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 upon the agencies and organizations to render all possible moral and material assistance to the peoples of the colonial Territories and to their national liberation movements;

23. *Urges* the executive heads of the specialized agencies and other organizations of the United Nations system, having regard to the provisions of paragraphs 13 and 22 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;

24. *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;

25. *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 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;

26. *Requests* the specialized agencies to report periodically to the Secretary-General of the United Nations on their implementation of the present resolution;

27. *Requests* the Special Committee to continue to examine this question and to report thereon to the General Assembly at its forty-first session.

99th plenary meeting
2 December 1985

40/54. United Nations Educational and Training Programme for Southern Africa

The General Assembly,

Recalling its earlier resolutions on the United Nations Educational and Training Programme for Southern Africa, in particular resolution 39/44 of 5 December 1984,

Having considered the report of the Secretary-General⁴⁹ containing an account of the work of the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa and the administration of the Programme for the period from 1 October 1984 to 15 October 1985,

Recognizing the valuable assistance rendered by the Programme to the peoples of South Africa and Namibia,

Noting with satisfaction that educational and technical assistance for southern Africa has become a growing concern of the international community,

Fully recognizing the need at this critical juncture in southern Africa to provide educational opportunities and counselling to a greater number of student refugees in a wide variety of professional, cultural and linguistic disciplines, as well as opportunities for vocational and technical training and for advanced studies at graduate and post-graduate levels in the priority fields of study,

Strongly convinced that the continuation and expansion of the Programme is essential in order to meet the increasing demand for educational and training assistance to students from South Africa and Namibia,

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 and to enhance co-operation with governmental, intergovernmental and non-governmental agencies involved in educational and technical assistance for southern Africa;

3. *Expresses its appreciation* to all those that have supported the Programme by providing contributions, scholarships or places in their educational institutions;

⁴⁸ 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.

⁴⁹ A/40/781.

4. *Appeals* to all States, institutions, organizations and individuals to offer greater financial and other support to the Programme in order to secure its continuation and steady expansion.

*99th plenary meeting
2 December 1985*

40/55. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 39/45 of 5 December 1984,

Having considered the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories,⁵⁰ 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 forty-first 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.

*99th plenary meeting
2 December 1985*

⁵⁰ A/40/718.

VIII. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIFTH COMMITTEE¹

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¹ For the decisions adopted on the reports of the Fifth Committee, see sect. X.B.7.

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40/59. Financing of the United Nations Disengagement Observer Force

I

A

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Disengagement Observer Force,² as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,³

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, 543 (1983) of 29 November 1983, 551 (1984) of 30 May 1984, 557 (1984) of 28 November 1984, 563 (1985) of 21 May 1985 and 576 (1985) of 21 November 1985,

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, 37/38 A of 30 November 1982, 38/35 A of 1 December 1983 and 39/28 A of 30 November 1984,

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,

Decides to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of \$17,852,496 gross (\$17,592,000 net) authorized and apportioned by section III of Assembly resolution 39/28 A for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 30 November 1985, inclusive;

II

1. Decides to appropriate to the Special Account an amount of \$18,282,000 for the operation of the United Nations Disengagement Observer Force for the period from 1 December 1985 to 31 May 1986, 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 \$18,282,000 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, section V, paragraph 1, of resolution 37/38 A and section V, paragraphs 1 and 2, of resolution 39/28 A; the scale of assessments for the years 1983, 1984 and 1985 shall be applied against a portion thereof, that is \$3,047,000, being the amount pertaining on a *pro rata* basis to the month of December 1985, and the scale of assessments for the years 1986, 1987 and 1988 shall be applied against the balance, that is \$15,235,000, for the period thereafter;

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 1985 to 31 May 1986, 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 \$337,500 approved for the period from 1 December 1985 to 31 May 1986, inclusive;

² A/40/754.

³ A/40/948.

III

Authorizes the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force at a rate not to exceed \$3,047,000 gross (\$2,989,083 net) per month for the period from 1 June to 30 November 1986, inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 576 (1985), 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.

99th plenary meeting
2 December 1985

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,² and referring to paragraph 5 of the report of the Advisory Committee on Administrative and Budgetary Questions,³

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 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, 37/38 B of 30 November 1982, 38/35 B of 1 December 1983 and 39/28 B of 30 November 1984,

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 \$3,250,131, 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.

99th plenary meeting
2 December 1985

40/238. 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 period ended 31 December 1984 of the United Nations Development Programme,⁴ the United Nations Children's Fund,⁵ the United Nations Relief and Works Agency for Palestine Refugees in the Near East,⁶ the United Nations Institute for Training and Research,⁷ the voluntary funds administered by the United Nations High Commissioner for Refugees,⁸ the United Nations Fund for Population Activities⁹ and the United Nations Industrial Development Fund,¹⁰ the audit opinions of the Board of Auditors¹¹ and the report of the Advisory Committee on Administrative and Budgetary Questions,¹²

Taking into account the views expressed by delegations during the debate in the Fifth Committee,¹³ particularly in support of measures for the efficient and sound financial management and control of the United Nations family of organizations,

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 pay close attention to the efficiency of the financial procedures and controls, the accounting system and related administrative and management areas in accordance with regulation 12.5 of the Financial Regulations of the United Nations;

4. *Requests* the Board of Auditors to submit to the General Assembly in future, in a separate, concise document, a synthesis of the main observations of common interest as related to paragraph 3 above;

5. *Also requests* the Board of Auditors and the Advisory Committee on Administrative and Budgetary Questions to keep under review the financial reserves held by United Nations organizations reported on to the General Assembly and to report to the Assembly accordingly;

6. *Further 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

⁴ Official Records of the General Assembly, Fortieth Session, Supplement No. 5A (A/40/5/Add.1), sects. I and VI.

⁵ *Ibid.*, Supplement No. 5B (A/40/5/Add.2), part one, sects. I and V.

⁶ *Ibid.*, Supplement No. 5C (A/40/5/Add.3), sects. I and VI.

⁷ *Ibid.*, Supplement No. 5D (A/40/5/Add.4), sects. I and VI.

⁸ *Ibid.*, Supplement No. 5E (A/40/5/Add.5), sect. III.

⁹ *Ibid.*, Supplement No. 5G (A/40/5/Add.7), sects. I and V.

¹⁰ *Ibid.*, Supplement No. 5I (A/40/5/Add.9), sects. I and V.

¹¹ *Ibid.*, Supplement No. 5A (A/40/5/Add.1), sect. IV; *ibid.*, Supplement No. 5B (A/40/5/Add.2), part one, sect. III; *ibid.*, Supplement No. 5C (A/40/5/Add.3), sect. IV; *ibid.*, Supplement No. 5D (A/40/5/Add.4), sect. IV; *ibid.*, Supplement No. 5E (A/40/5/Add.5), sect. II; *ibid.*, Supplement No. 5G (A/40/5/Add.7), sect. IV; and *ibid.*, Supplement No. 5I (A/40/5/Add.9), sect. IV.

¹² A/40/635.

¹³ See Official Records of the General Assembly, Fortieth Session, Fifth Committee, 4th to 9th and 14th meetings.

observations and comments made by the Board of Auditors in its reports and to report thereon to the Board;

7. *Renews its invitation* to 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;

8. *Further requests* the Board of Auditors to include in its annual reports comments on the measures taken to comply with its previous recommendations.

121st plenary meeting
18 December 1985

40/239. Programme budget for the biennium 1984-1985

A

FINAL BUDGET APPROPRIATIONS FOR THE BIENNIUM 1984-1985

The General Assembly

Resolves that for the biennium 1984-1985:

1. The amount of \$1,611,551,200 appropriated by its resolution 39/237 A of 18 December 1984 shall be decreased by \$2,597,200 as follows:

Section	Amount appropriated by resolution 39/237 A	Increase or (decrease)	Final appropriation
		(US dollars)	
PART I. Overall policy-making, direction and co-ordination			
1. Overall policy-making, direction and co-ordination	40 173 400	(1 706 600)	38 466 800
TOTAL, PART I	40 173 400	(1 706 600)	38 466 800
PART II. Political and Security Council affairs; peace-keeping activities			
2A. Political and Security Council affairs; peace-keeping activities	82 267 900	(1 045 900)	81 222 000
2B. Department for Disarmament Affairs	9 316 500	(36 300)	9 280 200
TOTAL, PART II	91 584 400	(1 082 200)	90 502 200
PART III. Political affairs, trusteeship and decolonization			
3. Political affairs, trusteeship and decolonization	28 696 500	(2 175 100)	26 521 400
TOTAL, PART III	28 696 500	(2 175 100)	26 521 400
PART IV. Economic, social and humanitarian activities			
4. Policy-making organs (economic and social activities)	3 936 000	(673 800)	3 262 200
5A. Office of the Director-General for Development and International Economic Co-operation	3 772 200	(225 900)	3 546 300
5B. Centre for Science and Technology for Development	3 995 200	126 100	4 121 300
5C. Regional Commissions Liaison Office	620 900	60 500	681 400
6. Department of International Economic and Social Affairs	50 056 800	(399 700)	49 657 100
7. Department of Technical Co-operation for Development	18 100 400	368 900	18 469 300
8. Office of Secretariat Services for Economic and Social Matters	3 926 600	(32 200)	3 894 400
9. Transnational corporations	9 783 500	(755 200)	9 028 300
10. Economic Commission for Europe	22 784 800	712 300	23 497 100
11. Economic and Social Commission for Asia and the Pacific	34 998 000	(1 076 100)	33 921 900
12. Economic Commission for Latin America and the Caribbean	43 210 300	(2 267 800)	40 942 500
13. Economic Commission for Africa	46 358 100	(360 100)	45 998 000
14. Economic and Social Commission for Western Asia	27 302 800	(373 000)	26 929 800
15. United Nations Conference on Trade and Development	51 577 500	(447 100)	51 130 400
16. International Trade Centre	7 892 300	(251 700)	7 640 600
17. United Nations Industrial Development Organization	74 323 300	4 367 900	78 691 200
18. United Nations Environment Programme	9 976 300	38 700	10 015 000
19. United Nations Centre for Human Settlements (Habitat)	8 816 900	(391 100)	8 425 800
20. International drug control	5 451 600	24 500	5 476 100

Section	Amount appropriated by resolution 39/237 A	Increase or (decrease)	Final appropriation
		(US dollars)	
21. Office of the United Nations High Commissioner for Refugees	28 484 400	596 900	29 081 300
22. Office of the United Nations Disaster Relief Co-ordinator	4 794 000	382 800	5 176 800
23. Human rights	10 310 000	934 800	11 244 800
24. Regular programme of technical co-operation.....	32 932 900	(504 200)	32 428 700
TOTAL, PART IV	<u>503 404 800</u>	<u>(144 500)</u>	<u>503 260 300</u>
<i>PART V. International justice and law</i>			
25. International Court of Justice	9 049 700	940 200	9 989 900
26. Legal activities	15 040 700	(1 903 700)	13 137 000
TOTAL, PART V	<u>24 090 400</u>	<u>(963 500)</u>	<u>23 126 900</u>
<i>PART VI. Public information</i>			
27. Public information	70 170 600	(990 700)	69 179 900
TOTAL, PART VI	<u>70 170 600</u>	<u>(990 700)</u>	<u>69 179 900</u>
<i>PART VII. Common support services</i>			
28. Administration and management	303 456 500	8 531 600	311 988 100
29. Conference and library services	266 603 700	(2 624 400)	263 979 300
TOTAL, PART VII	<u>570 060 200</u>	<u>5 907 200</u>	<u>575 967 400</u>
<i>PART VIII. Special expenses</i>			
30. United Nations bond issue	15 769 100	(143 000)	16 626 100
TOTAL, PART VIII	<u>15 769 100</u>	<u>(143 000)</u>	<u>16 626 100</u>
<i>PART IX. Staff assessment</i>			
31. Staff assessment	244 735 600	(527 800)	244 207 800
TOTAL, PART IX	<u>244 735 600</u>	<u>(527 800)</u>	<u>244 207 800</u>
<i>PART X. Capital expenditures</i>			
32. Construction, alteration, improvement and major maintenance of premises	20 366 200	(171 000)	20 195 200
TOTAL, PART X	<u>20 366 200</u>	<u>(171 000)</u>	<u>20 195 200</u>
<i>PART XI. Special grants</i>			
33. Grant to the United Nations Institute for Training and Research	1 500 000	(600 000)	900 000
TOTAL, PART XI	<u>1 500 000</u>	<u>(600 000)</u>	<u>900 000</u>
GRAND TOTAL	<u>1 611 551 200</u>	<u>(2 597 200)</u>	<u>1 608 954 000</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 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 1984-1985 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. If savings are realized in the liquidation of obligations for the biennium 1984-1985, such savings up to \$3,100,000 and any savings arising out of the appropriation of \$1,950,700 for the General Service classification exercise shall be surrendered as if regulations 4.3, 4.4 and 5.2 (d) of the Financial Regulations of the United Nations had not been suspended.

B

FINAL INCOME ESTIMATES FOR THE BIENNIUM 1984-1985

The General Assembly

Resolves that for the biennium 1984-1985:

1. The estimates of income other than assessments on Member States in the amount of \$54,542,800 approved by its resolution 39/237 B of 18 December 1984 shall be decreased by \$7,093,600 as follows:

<i>Income section</i>	<i>Amount approved by resolution 39/237 B</i>	<i>Increase or (decrease)</i>	<i>Final approved estimates</i>
		<i>(US dollars)</i>	
PART I. Income from staff assessment			
1. Income from staff assessment	246 896 300	931 700	247 828 000
TOTAL, PART I	246 896 300	931 700	247 828 000
PART II. Other income			
2. General income	35 617 800	633 000	36 250 800
3. Revenue-producing activities	18 925 000	(8 658 300)	10 266 700
TOTAL, PART II	54 542 800	(8 025 300)	46 517 500
GRAND TOTAL	301 439 100	(7 093 600)	294 345 500

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.

*121st plenary meeting
18 December 1985*

40/240. Programme planning*The General Assembly,*

Recalling its resolutions 32/197 of 20 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, 37/234 of 21 December 1982, 38/227 of 20 December 1983 and 39/238 of 18 December 1984,

Having considered the report of the Committee for Programme and Co-ordination on the work of its twenty-fifth session¹⁴ and the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1986-1987,¹⁵

Having considered also the proposed programme budget for the biennium 1986-1987,¹⁶

Having considered further chapter VI, sections C and D, of the report of the Economic and Social Council,¹⁷

Noting also the intensive discussion in the Fifth Committee of the General Assembly on programme planning,

1. *Approves* those conclusions and recommendations made by the Committee for Programme and Co-ordination at its twenty-fifth session¹⁸ not otherwise decided upon in the context of the consideration by the General Assembly of the proposed programme budget for the biennium 1986-1987, nor dealt with by the Economic and Social Council in its resolution 1985/78;

2. *Endorses* Economic and Social Council resolutions 1985/76, 1985/77 and 1985/78 of 26 July 1985;

3. *Takes note with satisfaction* of the qualitative improvements in the presentation of the programme aspects of the proposed programme budget for the biennium 1986-1987,¹⁶ in particular the expansion of pro-

grammatic coverage and further refinements in the output citations;

4. *Requests* the Secretary-General to continue his efforts to improve the analytical procedure leading to a more transparent presentation of all sections of the programme budget;

5. *Reiterates* the importance of the programme planning and budgeting cycle and, in that context, the necessity of reinforcing the monitoring and evaluation capacity of the United Nations so as to provide Member States with a basis for more informed decision-making;

6. *Requests* the Secretary-General to submit to the General Assembly at its forty-first session, through the Committee for Programme and Co-ordination at its twenty-sixth session, a report on the further experience gained in the implementation of General Assembly resolution 38/227 A, section II, paragraph 7;

7. *Decides* that the relevant conclusions and recommendations of the Committee for Programme and Co-ordination, as well as the related portions of its report, should be brought to the attention of its Main Committees for information;

8. *Requests* the Secretary-General to issue the regulations and rules governing programme planning, the programme aspects of the budget, the monitoring of implementation and the methods of evaluation in the same format as the Financial Regulations and Rules of the United Nations, and to annex to the regulations and rules the text of the resolutions and decisions on programme planning adopted by the General Assembly at its thirty-seventh, thirty-eighth and thirty-ninth sessions;

¹⁴ *Ibid.*, Fortieth Session, Supplement No. 38 (A/40/38 and Corr.1); and A/40/38/Add.1.

¹⁵ *Ibid.*, Supplement No. 7 (A/40/7).

¹⁶ *Ibid.*, Supplement No. 6 (A/40/6).

¹⁷ *Ibid.*, Supplement No. 3 (A/40/3/Rev.1).

¹⁸ *Ibid.*, Supplement No. 38 (A/40/38 and Corr.1), chap. IX.

9. *Endorses* the decision of the Committee for Programme and Co-ordination to include in the provisional agenda of its twenty-sixth session an item on the improvement of the work of the Committee under its mandate, *inter alia*, with a view to its consideration of future programme budgets and medium-term plans,¹⁹ as well as to enhance the instruments of co-ordination, and considers this decision a positive step toward enhancing the effectiveness of the Committee as the main subsidiary organ of the Economic and Social Council and the General Assembly for planning, programming and co-ordination.

121st plenary meeting
18 December 1985

40/241. Financial emergency of the United Nations

A

The General Assembly,

Having considered the report of the Secretary-General on the analysis of the financial situation of the United Nations²⁰ and the related report of the Advisory Committee on Administrative and Budgetary Questions,²¹

Recalling its resolutions 3049 A (XXVII) of 19 December 1972, 3538 (XXX) of 17 December 1975, 32/104 of 14 December 1977, 35/113 of 10 December 1980, 36/116 B of 10 December 1981, 37/13 of 16 November 1982, 38/228 B of 20 December 1983 and 39/239 B of 18 December 1984,

Mindful of the report of the Negotiating Committee on the Financial Emergency of the United Nations²² and of the views expressed by Member States thereon at the thirty-second session of the General Assembly,²³

Reiterating earlier appeals to Member States, without prejudice to their position of principle, to make voluntary contributions to the Special Account referred to in annex V to the report of the Secretary-General on the analysis of the financial situation of the United Nations,²⁰

Noting with concern that the short-term deficit of the Organization is expected to exceed \$390 million as at 31 December 1985,

Concerned at the increasingly precarious financial situation of peace-keeping operations and, in particular, its adverse impact on developing-country troop contributors,

Noting also with concern that delays and partial payment of assessed contributions continue to create serious cash-flow problems for the Organization,

Considering the possibility that for many Member States administrative considerations, including a calendar difference between the national fiscal year and that of the Organization, may be responsible for the delay in the payment of assessed contributions,

Taking note of the views expressed in the Fifth Committee,²⁴

1. *Reaffirms* its commitment to seek a comprehensive and generally acceptable solution to the financial problems of the United Nations, based on the principle of collective financial responsibility of Member States and in strict compliance with the Charter of the United Nations;

2. *Urges* all Member States to meet their financial obligations;

3. *Renews its appeal* to all Member States to make their best efforts to overcome constraints to the prompt payment early each year of full assessed contributions and of advances to the Working Capital Fund;

4. *Expresses its appreciation* to all Member States which pay their assessed contributions in full within thirty days of the receipt of the Secretary-General's communication, in accordance with regulation 5.4 of the Financial Regulations of the United Nations;

5. *Requests* the Secretary-General, in addition to his official communications to the permanent representatives of Member States, to approach, as and when appropriate, the Governments of Member States for the purpose of encouraging expeditious payment in full of assessed contributions, in compliance with regulation 5.4 of the Financial Regulations of the United Nations;

6. *Invites* Member States also to provide, in response to the Secretary-General's official communication and consistent with regulation 5.4 of the Financial Regulations of the United Nations, information regarding their expected pattern of payments, in order to facilitate the financial planning by the Secretary-General;

7. *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;

8. *Requests* the Secretary-General to submit to the General Assembly at its forty-first session detailed information relating to the extent, rate of increase and composition of the deficit of the Organization, the pattern of payments of Member States, the cash-flow situation and voluntary contributions received from Member States and other sources pursuant to Assembly resolutions 2053 A (XX) of 15 December 1965 and 3049 A (XXVII) of 19 December 1972;

9. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Financial emergency of the United Nations".

121st plenary meeting
18 December 1985

B

The General Assembly,

Having considered the various options to alleviate the financial difficulties of the United Nations, summarized in section IV of the report of the Secretary-General,²⁰ as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,²⁵

1. *Decides* to accept the recommendation of the Advisory Committee on Administrative and Budgetary Questions in paragraph 14 of its report that the provisions of regulations 4.3, 4.4 and 5.2 (d) of the Financial Regulations of the United Nations be suspended in respect of regular budget surpluses arising at the end of the biennium 1984-1985;

2. *Recommends* that the Secretary-General continue to study various options to alleviate the financial difficulties of the Organization, taking into account the views ex-

¹⁹ *Ibid.*, para. 764.

²⁰ A/C.5/40/16.

²¹ A/40/831.

²² Official Records of the General Assembly, Thirty-first Session, Supplement No. 37 (A/31/37).

²³ *Ibid.*, Thirty-second Session, Fifth Committee, 32nd, 33rd, 35th, 37th, 39th and 60th meetings; and *ibid.*, Fifth Committee, Sessional Fascicle, corrigendum.

²⁴ *Ibid.*, Fortieth Session, Fifth Committee, 37th, 45th to 47th, 50th and 67th meetings; and *ibid.*, Fifth Committee, Sessional Fascicle, corrigendum.

²⁵ A/40/831, paras. 6-15.

pressed by Member States at the fortieth session of the General Assembly.

121st plenary meeting
18 December 1985

40/242. 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 Nations²⁰ and the related report of the Advisory Committee on Administrative and Budgetary Questions,²¹

Recalling its resolution 39/239 A of 18 December 1984,

Recognizing that, pending a comprehensive settlement of the differences which have given rise to the financial emergency of the Organization, partial or interim steps could enhance the liquidity of the Organization and alleviate its financial difficulties to some extent,

Noting with satisfaction that the project on the issue of special postage stamps on the social and economic crisis in Africa is well under way,

1. *Decides*, in accordance with its resolution 39/239 A, to place one half of the revenue earned therefrom at the disposal of the Secretary-General for the implementation of objectives as detailed in the Declaration on the Critical Economic Situation in Africa,²⁶ adopted by the General Assembly on 3 December 1984, and to place the remaining half in a special account;

2. *Requests* the Secretary-General to take all necessary steps to economize on the operational expenses of the project on the issue of special postage stamps with a view to increasing the net revenue and to submit a financial report to the General Assembly at its forty-first session;

3. *Also requests* the Secretary-General to explore the possibility of having recourse to other feasible revenue-producing activities that could be undertaken by the United Nations.

121st plenary meeting
18 December 1985

40/243. Pattern of conferences

The General Assembly,

Recalling its resolutions 1202 (XII) of 13 December 1957, 1851 (XVII) of 19 December 1962, 1987 (XVIII) of 17 December 1963, 2116 (XX) of 21 December 1965, 2239 (XXI) of 20 December 1966, 2361 (XXII) of 19 December 1967, 2478 (XXIII) of 21 December 1968, 2609 (XXIV) of 16 December 1969, 2693 (XXV) of 11 December 1970, 2834 (XXVI) of 17 December 1971, 2960 (XXVII) of 13 December 1972, 3350 (XXIX) and 3351 (XXIX) of 18 December 1974, 3491 (XXX) of 15 December 1975, 31/140, section I, of 17 December 1976, 38/32 C of 25 November 1983 and 39/68 C of 13 December 1984,

I

Having considered the report of the Committee on Conferences,²⁷

1. *Takes note with appreciation* of the report of the Committee on Conferences;

2. *Approves* the draft calendar of conferences and meetings of the United Nations for the biennium 1986-1987 as submitted by the Committee on Conferences;²⁸

3. *Authorizes* the Committee on Conferences to make any adjustments in the calendar of conferences and meetings for the biennium 1986-1987 that may become necessary as a result of action and decisions taken by the General Assembly at its fortieth session;

4. *Reaffirms* the general principle that, in drawing up the schedule of conferences and meetings, United Nations bodies shall plan to meet at their respective established headquarters, with the following exceptions:

(a) The regular sessions of the Governing Council of the United Nations Development Programme shall be held alternately at United Nations Headquarters and at the United Nations Office at Geneva;

(b) The sessions of the International Law Commission shall be held at the United Nations Office at Geneva;

(c) The sessions of the United Nations Commission on International Trade Law may be held, subject to the provision in General Assembly resolution 2205 (XXI), section II, paragraph 6, of 17 December 1966, alternately at United Nations Headquarters and at the United Nations Office at Vienna;

(d) The second regular session of the Economic and Social Council may be held at the United Nations Office at Geneva provided that the closing date falls at least six weeks before the opening of the regular session of the General Assembly;

(e) The functional commissions of the Economic and Social Council shall meet at their established headquarters unless the Council designates another place to achieve a more rational pattern of the work programme, taking into account any recommendation of the commission concerned and in consultation with the Secretary-General;

(f) The regular sessions of the Economic and Social Commission for Asia and the Pacific, the Economic Commission for Latin America and the Caribbean, the Economic Commission for Africa and the Economic and Social Commission for Western Asia, as well as meetings of their subsidiary bodies, may be held away from their headquarters when the commission concerned so decides, subject, in the case of regular sessions of the commissions, to the approval of the Economic and Social Council and the General Assembly;

(g) The International Civil Service Commission shall hold its regular annual session at United Nations Headquarters and, if more than one session is required in any one year, may accept an invitation from one of its participating organizations to hold its other session or sessions at the headquarters of that particular organization;

(h) The sessions of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space shall be held alternately at United Nations Headquarters and the United Nations Office at Geneva;

(i) The Conference on Disarmament shall meet at the United Nations Office at Geneva;

5. *Decides* that United Nations bodies may hold sessions away from their established headquarters when a Government issuing an invitation for a session to be held within its territory has agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the actual additional costs directly or indirectly involved;

²⁶ Resolution 39/29, annex.

²⁷ Official Records of the General Assembly, Fortieth Session, Supplement No. 32 (A/40/32).

²⁸ *Ibid.*, annex II.

6. *Reaffirms* its instruction to all its subsidiary organs to complete their reports for the following session of the General Assembly no later than 1 September and, where necessary, to report to the Assembly in addenda to the reports of the organs concerned any activity undertaken after the adoption of such reports;

7. *Decides* that no subsidiary organ of the General Assembly may meet at United Nations Headquarters during a regular session of the Assembly unless explicitly authorized by the Assembly;

8. *Requests* the Secretary-General to continue to provide interpretation services for informal meetings on an *ad hoc* basis in accordance with established practice;

9. *Authorizes* the Secretary-General to apply maximum overprogramming of meetings whenever possible to achieve better utilization of conference resources;

10. *Requests* the Committee on Conferences and the Secretary-General to take account of the following principles in drawing up the draft calendar of conferences and meetings:

(a) The biennial calendar of conferences and meetings approved by the General Assembly shall govern the meetings programme during the period concerned;

(b) All United Nations meetings shall be conducted within the resources allocated by the General Assembly for that purpose;

(c) Between sessions of the General Assembly, departures from the calendar may, in special or unusual circumstances, be approved by the Committee on Conferences provided that changes affecting the subsequent year of the biennium shall be approved by the Assembly;

(d) Subsidiary organs of the General Assembly shall not, without the approval of the Assembly, create new standing bodies or *ad hoc* sessional or inter-sessional bodies that require additional resources, and other principal organs of the United Nations should make similar decisions with regard to their respective subsidiary bodies, if they have not already done so;

(e) An adequate interval of time, to be determined by the body concerned, shall be allowed between sessions of a body to permit Member States to derive maximum benefit from the activities and to provide sufficient time for the preparation of future activities;

(f) United Nations bodies shall meet at their respective established headquarters, subject to the exceptions to this principle approved by the General Assembly;

(g) The capacity of the documentation services of the Secretariat to process and issue in time the documentation required for the sessions of all scheduled organs should be taken into account;

(h) No more than one special conference of the United Nations shall be convened at the same time;

(i) In any given year, no more than five special conferences should be convened, unless the General Assembly specifically decides otherwise;

11. *Requests* the Secretary-General to ensure the most rational and effective use of all United Nations conference centres and facilities;

12. *Requests* the Committee on Conferences to continue its periodic examination of the rules governing conference planning;

II

1. *Urges* all United Nations bodies to increase their efforts to ensure that their requests for conference-servicing resources correspond accurately to their requirements;

2. *Further urges* those bodies to plan their work well in advance in order to make full use of the conference-servicing resources allocated to them and so that any unused conference-servicing resources can be reassigned to ensure their most effective utilization;

3. *Requests* subsidiary organs of the General Assembly to include in their reports to the Assembly a statement on the progress made in response to the relevant provisions of Assembly resolution 39/68 B of 13 December 1984 on the rational and efficient utilization of conference-servicing resources;

4. *Urges* intergovernmental bodies reporting to the Second Committee of the General Assembly that have not yet adjusted their meeting cycles to conform to that Committee's biennial programme of work to do so as soon as possible;

5. *Requests* the Secretary-General to review the composition and frequency of planning missions for meetings and conferences held away from Headquarters, in particular those sent to cities where United Nations conference facilities already exist;

6. *Also requests* the Secretary-General to report to the Committee on Conferences at its substantive session of 1986 on the results of that review concerning planning missions sent in 1985 and, as far as possible, in 1986;

III

1. *Decides* that the Committee on Conferences should review the question of the provision of summary records at its substantive session in 1986;

2. *Also decides* that the present experimental arrangements for summary records, established by the General Assembly in its resolution 37/14 C of 16 November 1982, should remain in effect until the Assembly, upon the recommendation of the Committee on Conferences, takes further action.

*121st plenary meeting
18 December 1985*

40/244. United Nations common system: report of the International Civil Service Commission

The General Assembly,

Having considered the eleventh annual report of the International Civil Service Commission²⁹ and other reports related thereto,³⁰

Reaffirming the importance of maintaining and developing further a single unified international civil service through the application of common personnel standards, methods and arrangements,

I

1. *Takes note* of the action taken by the International Civil Service Commission in response to General Assembly resolutions 39/27 of 30 November 1984 and 39/69 of 13 December 1984;³¹

²⁹ *Ibid.*, Supplement No. 30 (A/40/30 and Corr.1).

³⁰ *Ibid.*, Supplement No. 7A (A/40/7/Add.1-18), document A/40/7/Add.12; A/40/653 and Add.1; A/C.5/40/26; A/C.5/40/41; A/C.5/40/44; A/C.5/40/45 and Corr.1.

³¹ *Ibid.*, Supplement No. 30 (A/40/30 and Corr.1), para. 7.

2. *Approves* the range of 110 to 120, with a desirable mid-point of 115, for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and that of officials in comparable positions in the United States federal civil service, on the understanding that the margin would be maintained at a level around the desirable mid-point of 115 over a period of time;

3. *Requests* the Commission:

(a) To develop further the methodology for calculating the margin based on net remuneration,³² taking into account the views expressed at the current session,³³ and to study the possibility of calculating the margin as specified in paragraph 2 above based on a comparison of net remuneration for both services in New York and to report thereon to the General Assembly at its forty-first session;

(b) To further elaborate procedures for the operation of the post adjustment system within the approved range of the margin of net remuneration, which would enable the Commission to maintain the margin at a level around the desirable mid-point of 115 over a period of time, and to report thereon to the Assembly at its forty-first session;

4. *Also requests* the Commission to continue its studies of the post adjustment system as it relates to United Nations officials posted outside the base city of the system, the effects of exchange rate fluctuations and the possibility of eliminating post adjustment at the base city of the system, and to report thereon to the General Assembly no later than at its forty-second session;

II

Approves the recommendations of the International Civil Service Commission contained in paragraphs 180 and 181 of its report²⁹ concerning support by organizations of the United Nations common system for staff with dependent disabled children;

III

1. *Welcomes* the recommendations of the International Civil Service Commission contained in paragraph 245 of its report²⁹ concerning the introduction of special measures for the recruitment of women, is cognizant of the contents of paragraphs 246 and 247 of the same report and requests the Commission to report to the General Assembly at its forty-first session on the progress made in this regard;

2. *Welcomes further* the recommendations of the Commission contained in paragraph 252 of its report concerning the development of recruitment sources, including national recruitment services;

3. *Requests* the Commission:

(a) To undertake a study of the mobility of Professional staff in the United Nations common system, including the frequency and average length of their assignments at different duty stations;

(b) To re-examine the scope of the education grant in relation to the purpose for which it was originally approved;

4. *Also requests* the Commission to re-examine the question of the mandatory age of separation from service of staff of organizations of the common system and to report thereon to the General Assembly at its forty-first session;

³² *Ibid.*, Supplement No. 30 (A/40/30 and Corr.1), annex I.

³³ *Ibid.*, Fortieth Session, Fifth Committee, 29th, 30th, 37th, 38th, 42nd, 44th to 48th, 50th, 53rd and 63rd meetings; and *ibid.*, Fifth Committee, *Sessional Fascicle*, corrigendum.

IV

1. *Requests* the Secretary-General in his capacity as Chairman of the Administrative Committee on Co-ordination and, through him, the other executive heads of organizations participating in the United Nations common system, to promote endeavours to maintain and strengthen the common system for the regulation and co-ordination of the conditions of service;

2. *Also requests* the executive heads of participating organizations, through the Secretary-General, to inform their respective governing bodies of the present resolution;

3. *Urges* Member States to ensure that their representatives in organizations of the United Nations common system are informed about the positions taken by them in the General Assembly on matters relating to the conditions of service;

4. *Expresses its concern* over actions taken by some of the participating organizations which have led to disparities in the United Nations common system;

5. *Requests* the International Civil Service Commission to report in detail to the General Assembly at future sessions on the consideration and implementation of the decisions and recommendations of the Commission by organizations of the United Nations common system.

121st plenary meeting
18 December 1985

40/245. Report of the United Nations Joint Staff Pension Board

The General Assembly,

Recalling its resolution 39/246 of 18 December 1984,

Having considered the report of the United Nations Joint Staff Pension Board for 1985 to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund,³⁴ chapter II of the report of the International Civil Service Commission²⁹ and the related report of the Advisory Committee on Administrative and Budgetary Questions,³⁵

Welcoming the improvement in the actuarial situation of the Fund as revealed by the valuation as at 31 December 1984,

I

PENSIONABLE REMUNERATION FOR THE PROFESSIONAL AND HIGHER CATEGORIES

1. *Takes note* of chapter II of the report of the International Civil Service Commission²⁹ and section III.C.5 of the report of the United Nations Joint Staff Pension Board;³⁴

2. *Requests* the International Civil Service Commission, in co-operation with the United Nations Joint Staff Pension Board, to:

(a) Carry out a comparative study of the levels of pension benefits and the ratios of pensions to salaries under the United Nations pension scheme and that of the comparator country;

(b) Complete its review of the methodology for the determination of pensionable remuneration for the Professional and higher categories, for monitoring the level of pensionable remuneration and for adjustment of pension-

³⁴ *Ibid.*, Fortieth Session, Supplement No. 9 (A/40/9).

³⁵ A/40/848.

able remuneration in between comprehensive reviews, taking into account the margin range established for net remuneration, the views expressed at the current session,³⁶ including those concerning the evolution of the levels of pensionable remuneration and pensions in recent years and the different characteristics of the two services, and to submit its recommendations to the General Assembly at its forty-first session;

3. *Defers* until its forty-first session further consideration of the recommendation of the United Nations Joint Staff Pension Board regarding amendment of article 54 (b) of the Regulations of the United Nations Joint Staff Pension Fund contained in the Board's report for 1984³⁷ and in the meantime extends the suspension of the operation of the adjustment procedure in the said article;

II

AMENDMENTS TO THE REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND AND REVIEW OF THE PENSION ADJUSTMENT SYSTEM

1. *Decides* that the maximum retirement benefit payable to a participant at the Under-Secretary-General, Assistant Secretary-General or equivalent level separating on or after 1 April 1986 shall not exceed 60 per cent of the pensionable remuneration for his level applicable on the date of separation, provided, however, that the amount so calculated shall not be less than the maximum benefit payable at the standard annual rate to a participant at the D-2 level retiring on the same date and provided further that a participant who has accrued a higher benefit by 31 March 1986 by virtue of his participation up to that date shall retain his said higher benefit;

2. *Decides* that the benefit payable to a participant in the Professional or higher categories whose pensionable remuneration was lowered as at 1 January 1985 shall not be less than an amount calculated in accordance with supplementary article C of the Regulations of the United Nations Joint Staff Pension Fund, which appears in the annex to the present resolution;

3. *Requests* the United Nations Joint Staff Pension Board to study further the method of calculating the lump-sum commutation, bearing in mind the views expressed in the Fifth Committee, and to report thereon to the General Assembly at its forty-first session;

4. *Requests* the United Nations Joint Staff Pension Board, with a view to eliminating or reducing significantly inequalities of benefits payable to participants who have already separated or will separate in the near future, compared to benefits payable to those who will separate later on, to:

(a) Take steps to implement, if possible with effect from 1 July 1986, such measures as are within its competence;

(b) Recommend to the General Assembly at its forty-first session such additional measures as would require Assembly action;

5. *Defers* until its forty-first session further consideration of the question of the rate of contribution to the United Nations Joint Staff Pension Fund, and requests the United Nations Joint Staff Pension Board to submit to the General Assembly at that session its recommendations on additional economy measures, with a view to eliminating the need for any future increase in the liabilities of Member States;

6. *Requests* the United Nations Joint Staff Pension Board to review the pension adjustment system and, in particular, to consider lowering the extent by which the local currency equivalent of the United States dollar track could exceed the local track, and to report thereon to the General Assembly at its forty-first session;

7. *Amends*, with effect from 1 January 1986, the Regulations of the United Nations Joint Staff Pension Fund, as set forth in the annex to the present resolution, incorporating any consequential changes in the cross-references in the Regulations, without retroactive effect, except that supplementary article C of the said Regulations shall be applicable with effect from 1 January 1985, pursuant to General Assembly resolution 39/246, section II, paragraph 3, and article 28 (d) shall be applicable with effect from 1 April 1986;

8. *Requests* the United Nations Joint Staff Pension Board to examine the question of the rate of contributions that should be payable in respect of the contributory service from 1 April 1986 of the participants affected by the decision in paragraph 1 of the present section, and to make specific recommendations to the General Assembly at its forty-first session for the amendment, if necessary, with effect from 1 April 1986, of article 25 of the Regulations of the United Nations Joint Staff Pension Fund;

III

COMPOSITION OF THE UNITED NATIONS JOINT STAFF PENSION BOARD

Invites the competent organs of the member organizations of the United Nations Joint Staff Pension Fund to review the size and composition of the United Nations Joint Staff Pension Board, taking into account, where practicable, the views expressed at the current session,³⁸ and to submit their conclusions to the General Assembly, through the United Nations Joint Staff Pension Board, in time to enable the Assembly to take a decision on the matter no later than at its forty-second session;

IV

ADMISSION OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION TO MEMBERSHIP IN THE UNITED NATIONS JOINT STAFF PENSION FUND

Recalling its resolution 34/96 of 13 December 1979 on transitional arrangements relating to the establishment of the United Nations Industrial Development Organization as a specialized agency,

Decides that the United Nations Industrial Development Organization shall be admitted to membership in the Fund with effect from 1 January 1986, in accordance with article 3 (c) of the Regulations of the Fund;

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;

³⁶ See *Official Records of the General Assembly, Fortieth Session, Fifth Committee*, 29th, 37th, 38th, 44th to 46th, 48th, 50th, 53rd and 67th meetings; and *ibid.*, *Fifth Committee, Sessional Fascicle*, corrigendum.

³⁷ *Ibid.*, *Thirty-ninth Session, Supplement No. 9 (A/39/9 and Corr.1)*.

³⁸ *Ibid.*, *Fortieth Session, Fifth Committee*, 29th, 44th and 50th meetings.

VI

ADMINISTRATIVE EXPENSES

Approves expenses, chargeable directly to the United Nations Joint Staff Pension Fund, totalling \$16,995,700 (net) for the biennium 1986-1987 and additional expenses of \$173,300 (net) for 1985 for the administration of the Fund.

*121st plenary meeting
18 December 1985*

ANNEX

**Amendments to the Regulations of the United Nations
Joint Staff Pension Fund**

Article 28

RETIREMENT BENEFIT

Insert the following text as paragraph (d) and reletter existing paragraphs (d) to (g) as (e) to (h):

"(d) (i) However, except as provided in (ii) below, the benefit otherwise payable at the standard annual rate in accordance with the applicable provisions of (b) or (c) above to a participant at the level of Under-Secretary-General, Assistant Secretary-General or their equivalent level who separates from service on or after 1 April 1986, shall not exceed, as at the time of the participant's separation, the greater of:

"a. 60 per cent of his pensionable remuneration on the date of separation; or

"b. The maximum benefit payable under the same provisions of paragraphs (b) or (c) above to a participant at the level D-2 (top step for the preceding five years) with 35 years of contributory service, separating on the same date as the participant.

"(ii) However, the benefit payable to a participant to whom the provisions of (i) above are applicable shall not be less than the benefit that would have been payable to him at the standard annual rate if he had separated from service on 31 March 1986."

Article 40

EFFECT OF RE-ENTRY INTO PARTICIPATION

Replace subparagraph (c) (ii) by the following text:

"(ii) 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; provided, however, that such benefit may not be commuted into a lump sum, in whole or in part, and shall not be subject to any minimum provisions."

Add the following article:

"Supplementary article C

"TRANSITIONAL MEASURES

"(a) Effective 1 January 1985, notwithstanding the provisions of article 1 (h), the final average remuneration of a participant in the Professional or higher categories who was in contributory service on 31 December 1984, had at least 36 completed calendar months of such service as of that date and whose pensionable remuneration was lowered by the scale of pensionable remuneration effective 1 January 1985, shall be calculated under both article 1 (h) and paragraph (b) of this article, with the participant being entitled to that method of calculation which results in the higher benefit at the standard annual rate.

"(b) (i) The highest final average remuneration to which the participant would have been entitled in accordance with article 1 (h) if he had separated from service on 31 December 1984 or on any later date preceding his actual date of separation shall be applied to his contributory service up to and including the date on which that final average remuneration was first attained in his case; and

"(ii) The final average remuneration calculated in accordance with article 1 (h) shall be applied to his contributory service after such date;

"(iii) The benefit payable at the standard annual rate under the provisions of article 28 (b) or (c) shall be calculated by adding to the benefit based on the contributory service in (i) above the benefit based on the contributory service in (ii) above, subject to article 28 (d) where applicable.

"(c) Nevertheless, and notwithstanding the provisions of article 28 (d), the benefit payable to a participant at the standard annual rate in accordance with paragraph (b) above shall not be less than the benefit to which he would have been entitled if he had separated on the date the highest final average remuneration was first attained in his case."

40/246. 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 Lebanon³⁹ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁴⁰

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, 538 (1983) of 18 October 1983, 549 (1984) of 19 April 1984, 555 (1984) of 12 October 1984, 561 (1985) of 17 April 1985 and 575 (1985) of 17 October 1985,

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, 37/127 A of 17 December 1982, 38/38 A of 5 December 1983 and 39/71 A of 13 December 1984,

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 \$70,446,000 gross (\$69,446,000 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 IV of Assembly resolution 39/71 A for the operation of the United Nations Interim Force in Lebanon from 19 April to 18 October 1985, inclusive;

³⁹ A/40/844.

⁴⁰ A/40/954.

II

Decides to appropriate to the Special Account an amount of \$23,482,000 gross (\$23,148,666 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 IV of Assembly resolution 39/71 A for the operation of the United Nations Interim Force in Lebanon from 19 October to 18 December 1985, inclusive;

III

1. *Decides* to appropriate to the Special Account an amount of \$48,263,000 for the operation of the United Nations Interim Force in Lebanon for the period from 19 December 1985 to 18 April 1986, 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 \$48,263,000 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, section IX, paragraph 1, of resolution 37/127 A and section VII, paragraphs 1 and 2, of resolution 39/71 A; the scale of assessments for the years 1983, 1984 and 1985 shall be applied against a portion thereof, that is \$5,185,281, being the amount pertaining on a *pro rata* basis to the period from 19 to 31 December 1985, inclusive, and the scale of assessments for the years 1986, 1987 and 1988 shall be applied against the balance, that is \$43,077,719, for the period thereafter;

3. *Decides* that there shall be set off against the apportionment among Member States, as provided for in paragraph 2 above, their respective share in the estimated income of \$13,333 other than staff assessment income approved for the period from 19 December 1985 to 18 April 1986, 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 \$823,333 approved for the period from 19 December 1985 to 18 April 1986, inclusive;

IV

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 \$11,957,500 gross (\$11,762,500 net) per month for the period from 19 April to 18 December 1986, inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 575 (1985), 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 1986, the said amount to be apportioned among Member States in accordance with the scale of assessments for the years 1986, 1987 and 1988;

V

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;

VI

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.

*121st plenary meeting
18 December 1985*

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,³⁹ and referring to paragraph 7 of the report of the Advisory Committee on Administrative and Budgetary Questions,⁴⁰

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, 37/127 B of 17 December 1982, 38/38 B of 5 December 1983 and 39/71 B of 13 December 1984,

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 \$8,868,174, 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.

*121st plenary meeting
18 December 1985*

40/247. Review of the rates of reimbursement to the Governments of troop-contributing States

The General Assembly,

Having considered the report of the Secretary-General on the review of the rates of reimbursement to the Gov-

ernments of troop-contributing States,⁴¹ submitted pursuant to General Assembly resolution 39/70 of 13 December 1984, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,⁴⁰

Recalling its decision of 29 November 1974, taken at its twenty-ninth session, by which it established, as from 25 October 1973, standard rates of reimbursement to the Governments of troop-contributing States for pay and allowances of their troops serving in the United Nations Emergency Force and the United Nations Disengagement Observer Force,⁴² and its decision 32/416 of 2 December 1977, by which it revised those rates of reimbursement as from 25 October 1977,

Recalling also its resolution S-8/2 of 21 April 1978, by which it applied the same standard rates of reimbursement in effect for the United Nations Emergency Force and the United Nations Disengagement Observer Force to those Governments of States contributing troops to the United Nations Interim Force in Lebanon,

Recalling further its resolution 35/44 of 1 December 1980, by which it established new standard rates of reimbursement to the Governments of troop-contributing States of \$950 per person per month for all ranks, plus \$280 per person per month for a limited number of specialists (up to 25 per cent of logistics contingents and up to 10 per cent of other contingents), with effect from 1 December 1980 in the case of the United Nations Disengagement Observer Force and from 19 December 1980 in the case of the United Nations Interim Force in Lebanon,

Recalling further its decision of 15 December 1975, taken at its thirtieth session, by which it approved the principle of reimbursing the troop-contributing States for the usage factor for personal clothing, gear and equipment and personal weaponry, including ammunition, issued by Governments to their troops for service in the United Nations peace-keeping forces and in which it requested the Secretary-General to negotiate a settlement thereof,⁴³ pursuant to which a reimbursement rate of \$70 per person per month was agreed upon,

Recognizing that, in consequence of the shortfall of financial contributions, troop-contributing States are not being reimbursed to the full extent of the established rates and are thus bearing considerably larger portions of the costs for their troops serving in the United Nations peace-keeping forces than those indicated by the Secretary-General in his report,

1. Takes note of the conclusions and recommendations of the Secretary-General as outlined in paragraphs 12 to 15 of his report;⁴⁴

2. Decides to retain the current rates of reimbursement of \$950 per person per month for all ranks, plus the specialists' allowance of \$280 per person per month for 25 per cent of logistics contingents and 10 per cent of other contingents, as well as \$65 per person per month for the usage factor for personal clothing, gear and equipment and \$5 per person per month for personal weaponry, including ammunition;

3. Also decides that the rates of reimbursement to the Governments of troop-contributing States shall be reviewed by the Secretary-General, in consultation with the troop-contributing States, and requests the Secretary-General to report thereon to the General Assembly, at least once every two years, if, in the light of inflation and currency-exchange fluctuations or other factors brought to the attention of the Secretary-General, these rates appreci-

ably affect the absorption factor of two or more of the troop-contributing States.

121st plenary meeting
18 December 1985

40/248. Scale of assessments for the apportionment of the expenses of the United Nations

The General Assembly

Resolves that:

1. The scale of assessments for the contributions of Member States to the United Nations budget for the financial years 1986, 1987 and 1988 shall be as follows:

Member State	Per cent
Afghanistan	0.01
Albania	0.01
Algeria	0.14
Angola	0.01
Antigua and Barbuda	0.01
Argentina	0.62
Australia	1.66
Austria	0.74
Bahamas	0.01
Bahrain	0.02
Bangladesh	0.02
Barbados	0.01
Belgium	1.18
Belize	0.01
Benin	0.01
Bhutan	0.01
Bolivia	0.01
Botswana	0.01
Brazil	1.40
Brunei Darussalam	0.04
Bulgaria	0.16
Burkina Faso	0.01
Burma	0.01
Burundi	0.01
Byelorussian Soviet Socialist Republic	0.34
Cameroon	0.01
Canada	3.06
Cape Verde	0.01
Central African Republic	0.01
Chad	0.01
Chile	0.07
China	0.79
Colombia	0.13
Comoros	0.01
Congo	0.01
Costa Rica	0.02
Côte d'Ivoire	0.02
Cuba	0.09
Cyprus	0.02
Czechoslovakia	0.70
Democratic Kampuchea	0.01
Democratic Yemen	0.01
Denmark	0.72
Djibouti	0.01
Dominica	0.01
Dominican Republic	0.03
Ecuador	0.03
Egypt	0.07
El Salvador	0.01
Equatorial Guinea	0.01
Ethiopia	0.01
Fiji	0.01
Finland	0.50
France	6.37
Gabon	0.03
Gambia	0.01
German Democratic Republic	1.33
Germany, Federal Republic of	8.26

⁴¹ A/40/845.

⁴² Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 31 (A/9631 and Corr.2), p. 140, item 84.

⁴³ Ibid., Thirtieth Session, Supplement No. 34 (A/10034), p. 148, item 107.

<i>Member State</i>	<i>Per cent</i>	<i>Member State</i>	<i>Per cent</i>
Ghana	0.01	Sudan	0.01
Greece	0.44	Suriname	0.01
Grenada	0.01	Swaziland	0.01
Guatemala	0.02	Sweden	1.25
Guinea	0.01	Syrian Arab Republic	0.04
Guinea-Bissau	0.01	Thailand	0.09
Guyana	0.01	Togo	0.01
Haiti	0.01	Trinidad and Tobago	0.04
Honduras	0.01	Tunisia	0.03
Hungary	0.22	Turkey	0.34
Iceland	0.03	Uganda	0.01
India	0.35	Ukrainian Soviet Socialist Republic	1.28
Indonesia	0.14	Union of Soviet Socialist Republics	10.20
Iran (Islamic Republic of)	0.63	United Arab Emirates	0.18
Iraq	0.12	United Kingdom of Great Britain and Northern Ireland	4.86
Ireland	0.18	United Republic of Tanzania	0.01
Israel	0.22	United States of America	25.00
Italy	3.79	Uruguay	0.04
Jamaica	0.02	Vanuatu	0.01
Japan	10.84	Venezuela	0.60
Jordan	0.01	Viet Nam	0.01
Kenya	0.01	Yemen	0.01
Kuwait	0.29	Yugoslavia	0.46
Lao People's Democratic Republic	0.01	Zaire	0.01
Lebanon	0.01	Zambia	0.01
Lesotho	0.01	Zimbabwe	0.02
Liberia	0.01		
Libyan Arab Jamahiriya	0.26		100.00
Luxembourg	0.05		
Madagascar	0.01		
Malawi	0.01		
Malaysia	0.10		
Maldives	0.01		
Mali	0.01		
Malta	0.01		
Mauritania	0.01		
Mauritius	0.01		
Mexico	0.89		
Mongolia	0.01		
Morocco	0.05		
Mozambique	0.01		
Nepal	0.01		
Netherlands	1.74		
New Zealand	0.24		
Nicaragua	0.01		
Niger	0.01		
Nigeria	0.19		
Norway	0.54		
Oman	0.02		
Pakistan	0.06		
Panama	0.02		
Papua New Guinea	0.01		
Paraguay	0.02		
Peru	0.07		
Philippines	0.10		
Poland	0.64		
Portugal	0.18		
Qatar	0.04		
Romania	0.19		
Rwanda	0.01		
Saint Christopher and Nevis	0.01		
Saint Lucia	0.01		
Saint Vincent and the Grenadines	0.01		
Samoa	0.01		
Sao Tome and Principe	0.01		
Saudi Arabia	0.97		
Senegal	0.01		
Seychelles	0.01		
Sierra Leone	0.01		
Singapore	0.10		
Solomon Islands	0.01		
Somalia	0.01		
South Africa	0.44		
Spain	2.03		
Sri Lanka	0.01		

2. In accordance with rule 160 of the rules of procedure of the General Assembly, the scale of assessments given in paragraph 1 above shall be reviewed by the Committee on Contributions in 1988, when a report shall be submitted to the Assembly for consideration at its forty-third session;

3. Notwithstanding the terms of regulation 5.5 of the Financial Regulations of the United Nations, the Secretary-General shall be empowered to accept, at his discretion and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the calendar years 1986, 1987 and 1988 in currencies other than United States dollars;

4. In accordance with rule 160 of the rules of procedure of the General Assembly, States which are not Members of the United Nations but which participate in certain of its activities shall be called upon to contribute towards the 1986, 1987 and 1988 expenses of such activities on the basis of the following rates:

<i>Non-member State</i>	<i>Per cent</i>
Democratic People's Republic of Korea	0.05
Holy See	0.01
Liechtenstein	0.01
Monaco	0.01
Nauru	0.01
Republic of Korea	0.20
San Marino	0.01
Switzerland	1.12
Tonga	0.01
Tuvalu	0.01

*122nd plenary meeting
18 December 1985*

40/249. Impact of inflation and monetary instability on the regular budget of the United Nations

The General Assembly,

Recalling its resolution 39/240 of 18 December 1984,

1. *Takes note of the report of the Secretary-General on the impact of inflation and monetary instability on the regular budget of the United Nations;*⁴⁴

⁴⁴ A/C.5/40/65.

2. *Decides* to consider this item again at a future session.

*122nd plenary meeting
18 December 1985*

40/250. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency

The General Assembly,

Recalling its previous resolutions on this subject, in particular resolution 36/229 of 18 December 1981 by which it expressed its concern with the need for effective administrative and budgetary co-ordination within the framework of the United Nations system,

Convinced of the importance of such co-ordination by the organizations of the system,

Realizing the need to avoid duplication of efforts and proliferation of organs for the more effective use of the resources of the United Nations and the specialized agencies,

Concurring with the opinion expressed by the Advisory Committee on Administrative and Budgetary Questions in its report on the subject submitted to the General Assembly at its thirty-ninth session,⁴⁵ that co-ordination among the agencies with a view to harmonizing their budgetary practices is of primary importance and that further efforts at standardization and harmonization should be encouraged,

1. *Recommends* that further efforts be made to achieve the maximum possible standardization and comparability in the budgetary and administrative practices of all organizations concerned;

2. *Invites* the International Civil Service Commission, in co-operation with the United Nations Joint Staff Pension Board and other appropriate bodies of the United Nations system, taking into account the relevant reports of the Joint Inspection Unit and the opinions expressed thereon in the Fifth Committee, to pursue its efforts to achieve a greater co-ordination of staff regulations;

3. *Invites* the Secretary-General and the executive heads of the specialized agencies and the International Atomic Energy Agency to submit to the General Assembly, at its forty-first session, their comments on the matters referred to in this resolution.

*122nd plenary meeting
18 December 1985*

40/251. 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

The General Assembly

1. *Takes note with appreciation* of the report of the Advisory Committee on Administrative and Budgetary Questions on the administrative and budgetary co-ordina-

tion of the United Nations with the specialized agencies and the International Atomic Energy Agency;⁴⁶

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;⁴⁷

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.

*122nd plenary meeting
18 December 1985*

40/252. Questions relating to the proposed programme budget for the biennium 1986-1987

The General Assembly,

I

YEARBOOK OF THE UNITED NATIONS

Having considered the report of the Secretary-General⁴⁸ and the relevant observations of the Advisory Committee on Administrative and Budgetary Questions as contained in paragraphs 27.35 to 27.43 of chapter II of its first report on the proposed programme budget for the biennium 1986-1987,⁴⁹

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

2. *Concurs* with the observations of the Advisory Committee as contained in paragraphs 27.42 and 27.43 of its report;

3. *Decides* that the *Yearbook of the United Nations* shall be issued in abbreviated editions until such time as the backlog in its publication has been eliminated;

II

ACQUISITION OF A TELEPHONE SYSTEM AT UNITED NATIONS HEADQUARTERS

Having considered the report of the Secretary-General⁵⁰ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁵¹

Approves the proposals of the Secretary-General for the acquisition of a telephone system at United Nations Headquarters, as detailed in his report;

III

CATERING OPERATION AT UNITED NATIONS HEADQUARTERS

Takes note of the report of the Secretary-General on the catering operation at United Nations Headquarters;⁵²

IV

UNITED NATIONS OFFICE AT NAIROBI

Takes note of the report of the Secretary-General on the United Nations Office at Nairobi;⁵³

⁴⁵ A/39/592.

⁴⁶ A/40/769 and Corr.1.

⁴⁷ See *Official Records of the General Assembly, Fortieth Session, Fifth Committee, 55th, 59th and 70th meetings; and ibid., Fifth Committee, Sessional Fascicle, corrigendum.*

⁴⁸ A/C.5/40/37.

⁴⁹ *Official Records of the General Assembly, Fortieth Session, Supplement No. 7 (A/40/7).*

⁵⁰ A/C.5/40/11 and Corr.1.

⁵¹ *Official Records of the General Assembly, Fortieth Session, Supplement No. 7A (A/40/7/Add.1-18), document A/40/7/Add.4.*

⁵² A/C.5/40/17.

⁵³ A/C.5/40/14.

V

UNITED NATIONS ACCOMMODATION AT BANGKOK

*Takes note of the report of the Secretary-General on the United Nations accommodation at Bangkok;*⁵⁴

VI

BUILDING MANAGEMENT, MAINTENANCE AND ALTERATIONS AT THE HEADQUARTERS OF THE ECONOMIC COMMISSION FOR AFRICA

Requests the Secretary-General to report to the General Assembly on the implementation of the building maintenance projects at the headquarters of the Economic Commission for Africa, in the context of his annual progress reports on the construction of conference facilities at Addis Ababa;

VII

VENUE OF THE MEETING OF THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN 1988

Invites the Economic and Social Council to reconsider its decision to allow the Committee on Economic, Social and Cultural Rights to meet in New York in 1988;

VIII

INCLUSION OF PORTUGUESE AMONG THE OFFICIAL AND/OR WORKING LANGUAGES OF THE ECONOMIC COMMISSION FOR AFRICA

Having considered the report of the Secretary-General on the inclusion of Portuguese among the official and/or working languages of the Economic Commission for Africa⁵⁵ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁵⁶

1. *Decides to take no action with regard to the resources requested for the inclusion of Portuguese among the "official working languages" of the Economic Commission for Africa;*

2. *Further decides to refer the question of the meaning of the expression "official working language" to the Economic Commission for Africa and the Economic and Social*

⁵⁴ A/C.5/40/29.

⁵⁵ A/C.5/40/13 and Corr.1, annex I, paras. 13.5 and 13.6.

⁵⁶ *Official Records of the General Assembly, Fortieth Session, Supplement No. 7A (A/40/7/Add.1-18), document A/40/7/Add.5, paras. 10-18.*

Council for clarification in time for consideration by the General Assembly at its forty-first session;

IX

ELIMINATION OF THE BACKLOG IN THE PUBLICATION OF THE UNITED NATIONS TREATY SERIES

*Takes note of the report of the Secretary-General on the elimination of the backlog in the publication of the United Nations Treaty Series;*⁵⁷

X

1986 BUDGET ESTIMATES FOR THE INTERNATIONAL COMPUTING CENTRE

Approves the budget estimates for the International Computing Centre for the year 1986 amounting to \$5,365,500;

XI

NEWS SERVICE OF THE DEPARTMENT OF POLITICAL AND SECURITY COUNCIL AFFAIRS

Decides to maintain for 1986 the current staffing resources of the News Service of the Department of Political and Security Council Affairs pending consideration by the Committee for Programme and Co-ordination and the General Assembly of the Secretary-General's report on the evaluation of the News Service;

XII

APPEALS SYSTEM FOR STAFF

Approves the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions as contained in paragraphs 67 to 72 of chapter I of its first report on the proposed programme budget for the biennium 1986-1987.⁴⁹

*122nd plenary meeting
18 December 1985*

40/253. Programme budget for the biennium 1986-1987

A

BUDGET APPROPRIATIONS FOR THE BIENNIUM 1986-1987

The General Assembly

Resolves that for the biennium 1986-1987:

1. Appropriations totalling \$US 1,663,341,500 are hereby voted for the following purposes:

<i>Section</i>	<i>(US dollars)</i>
PART I. <i>Overall policy-making, direction and co-ordination</i>	
1. Overall policy-making, direction and co-ordination	45 090 200
TOTAL, PART I	<u>45 090 200</u>

<i>Section</i>	<i>(US dollars)</i>
PART II. Political and Security Council affairs; peace-keeping activities	
2A. Political and Security Council affairs; peace-keeping activities	83 786 600
2B. Disarmament affairs activities.....	9 853 500
TOTAL, PART II	<u>93 640 100</u>
PART III. Political affairs, trusteeship and decolonization	
3. Political affairs, trusteeship and decolonization	25 606 800
TOTAL, PART III	<u>25 606 800</u>
PART IV. Economic, social and humanitarian activities	
4. Policy-making organs (economic and social activities)	2 526 100
5A. Office of the Director-General for Development and International Economic Co-operation	3 814 000
5B. Centre for Science and Technology for Development	4 230 300
5C. Regional Commissions Liaison Office.....	665 100
6. Department of International Economic and Social Affairs....	54 160 700
7. Department of Technical Co-operation for Development	20 218 300
8. Office of Secretariat Services for Economic and Social Matters	4 387 700
9. Transnational corporations	10 078 000
10. Economic Commission for Europe	26 767 900
11. Economic and Social Commission for Asia and the Pacific ..	34 818 400
12. Economic Commission for Latin America and the Caribbean	45 293 700
13. Economic Commission for Africa	48 166 300
14. Economic and Social Commission for Western Asia	33 707 500
15. United Nations Conference on Trade and Development	60 135 300
16. International Trade Centre	8 041 300
18. United Nations Environment Programme	10 142 400
19. United Nations Centre for Human Settlements (Habitat)	8 610 400
20. International Drug Control	6 291 200
21. Office of the United Nations High Commissioner for Refugees	34 485 200
22. Office of the United Nations Disaster Relief Co-ordinator ...	5 708 300
23. Human rights	11 675 400
24. Regular programme of technical co-operation	29 277 200
TOTAL, PART IV	<u>463 200 700</u>
PART V. International justice and law	
25. International Court of Justice	10 500 800
26. Legal activities	15 896 500
TOTAL, PART V	<u>26 397 300</u>
PART VI. Public information	
27. Public information.....	75 668 900
TOTAL, PART VI	<u>75 668 900</u>
PART VII. Common support services	
28. Administration and management	321 993 400
29. Conference and library services	288 823 600
TOTAL, PART VII	<u>610 817 000</u>
PART VIII. Special expenses	
30. United Nations bond issue	16 758 600
TOTAL, PART VIII	<u>16 758 600</u>
PART IX. Staff assessment	
31. Staff assessment	275 416 800
TOTAL, PART IX	<u>275 416 800</u>
PART X. Capital expenditures	
32. Construction, alteration, improvement and major maintenance of premises.....	30 145 100
TOTAL, PART X	<u>30 145 100</u>
PART XI. Special grants	
33. Grant to the United Nations Institute for Training and Research.....	600 000
TOTAL, PART XI	<u>600 000</u>
GRAND TOTAL	<u>1 663 341 500</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 1986-1987 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;

6. In addition to the appropriations voted under paragraphs 1 and 5 above, an amount of \$24 million is specially appropriated for the year 1986 to finance a loan to the United Nations Industrial Development Organization. This amount shall be placed in a special account in order to meet the expenses of the initial operations of the new agency for the calendar year 1986, in accordance with General Assembly resolution 34/96, paragraph 8, of 13 December 1979. The special account will be credited with repayments made by the United Nations Industrial Development Organization.

*122nd plenary meeting
18 December 1985*

B

INCOME ESTIMATES FOR THE BIENNIUM 1986-1987

The General Assembly

Resolves that for the biennium 1986-1987:

1. Estimates of income other than assessments on Member States totalling \$US 317,465,600 are approved as follows:

<i>Income section</i>	<i>(US dollars)</i>
PART I. <i>Income from staff assessment</i>	
1. Income from staff assessment	279 485 500
TOTAL, PART I	279 485 500
PART II. <i>Other income</i>	
2. General income	28 570 000
3. Revenue-producing activities	9 410 100
TOTAL, PART II	37 980 100
GRAND TOTAL	317 465 600

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;

4. Income from the repayment of the loan to the United Nations Industrial Development Organization, for which \$24 million was specially appropriated under para-

graph 6 of resolution A above, shall be credited to income section 2 (General income) in 1987.

122nd plenary meeting
18 December 1985

C

FINANCING OF APPROPRIATIONS FOR THE YEAR 1986

The General Assembly

Resolves that for the year 1986:

1. Budget appropriations totalling \$US 860,098,850, consisting of \$US 831,670,750, being one half of the appropriations approved for the biennium 1986-1987 under paragraph 1 of resolution A above, and \$24 million for 1986 only under paragraph 6 of resolution A above, together with revised income other than staff assessment for 1984-1985 decreased by \$US 8,025,300,⁵⁸ revised appropriations for 1984-1985 decreased by \$US 2,597,200,⁵⁹ and the reimbursement of \$US 1 million being the commitment entered upon in 1984 under the terms of resolution 38/226 A, paragraph 6, of 20 December 1983, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations as follows:

(a) \$18,990,050 being half of the estimated income, other than staff assessment and the income from the repayment of the loan to the United Nations Industrial Development Organization, approved for the biennium 1986-1987 under resolution B above;

(b) \$841,108,800 being the assessment on Member States in accordance with General Assembly resolution 40/248 of 18 December 1985 on the scale of assessments for the years 1986, 1987 and 1988;

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 140,674,450 consisting of:

(a) \$139,742,750 being half of the estimated income from staff assessment approved for the biennium 1986-1987 under resolution B above;

(b) \$931,700 being the increase in the revised income from staff assessment for the biennium 1984-1985.⁵⁸

122nd plenary meeting
18 December 1985

40/254. Unforeseen and extraordinary expenses for the biennium 1986-1987

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 1986-1987 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 1986-1987, 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 \$250,000;

(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 \$75,000;

(iii) 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 1986-1987, as the Secretary-General certifies are required for interorganizational security measures pursuant to General Assembly resolution 36/235, section IV, 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 forty-first and forty-second 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 forty-first session or between the forty-first and forty-second sessions of the General Assembly, a special session of the Assembly shall

⁵⁸ See resolution 40/239 B.

⁵⁹ See resolution 40/239 A.

be convened by the Secretary-General to consider the matter.

*122nd plenary meeting
18 December 1985*

40/255. Working Capital Fund for the biennium 1986-1987

The General Assembly

Resolves that:

1. The Working Capital Fund shall be established for the biennium 1986-1987 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 1986;

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 1984-1985 under General Assembly resolution 38/238 of 20 December 1983;

4. Should the credits and advances paid by any Member State to the Working Capital Fund for the biennium 1984-1985 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 1986-1987;

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 40/254 of 18 December 1985 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 1986-1987, 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.

*122nd plenary meeting
18 December 1985*

40/256. Conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly

The General Assembly,

Recalling its resolution 35/221 of 17 December 1980 on the conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly,

Having considered those aspects of the report of the Secretary-General⁶⁰ on which action was deferred by the General Assembly at its thirty-eighth and thirty-ninth sessions⁶¹ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁶²

Affirming the principle that the conditions of service for the Chairman and Vice-Chairman of the International Civil Service Commission and for the Chairman of the Advisory Committee on Administrative and Budgetary Questions shall be separate and distinct from those of officials of the Secretariat of the United Nations,

1. *Decides* that the annual compensation of the two full-time members of the International Civil Service Commission and of the Chairman of the Advisory Committee on Administrative and Budgetary Questions shall remain at its current level, i.e., \$82,056 with an additional allowance of \$5,000 for the Chairman of the Commission and the Chairman of the Advisory Committee;

2. *Approves* the recommendation of the Advisory Committee on Administrative and Budgetary Questions in paragraph 11 of its report⁶² with regard to the Chairman and Vice-Chairman of the International Civil Service Commission and the Chairman of the Advisory Committee and decides that the other conditions of service for these officials shall remain unchanged;

3. *Decides* that the compensation and other conditions of service of the full-time members of the International Civil Service Commission and of the Chairman of the Advisory Committee on Administrative and Budgetary Questions shall next be reviewed at the forty-fifth session of the General Assembly and that, pending such review, the annual compensation shall be adjusted in accordance with the procedure approved in General Assembly resolution 35/221, paragraph 3.

*122nd plenary meeting
18 December 1985*

⁶⁰ A/C.5/38/27.

⁶¹ Resolutions 38/234, sect. XVII, and 39/236, sect. V.

⁶² Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 7 (A/39/7 and Add.1-16), document A/39/7/Add.1.

40/257. Emoluments, pension scheme and conditions of service for the members of the International Court of Justice

A

EMOLUMENTS

The General Assembly,

Recalling its resolutions 31/204 of 22 December 1976 and 35/220 A of 17 December 1980, on the emoluments of the members of the International Court of Justice,

Having considered the report of the Secretary-General⁶³ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁶⁴

1. *Decides* that, with effect from 1 January 1986, the annual salary of the members of the International Court of Justice shall be \$82,000 with an interim cost-of-living supplement of \$3,000;

2. *Decides* to continue the system of interim cost-of-living supplements introduced pursuant to General Assembly resolution 31/204, paragraph 2, subject to rebasing and modifying the index used for this purpose, in accordance with the suggestion made by the Secretary-General in paragraph 22 of his report;

3. *Decides* that, with effect from 1 January 1986, the *ad hoc* judges referred to in Article 31 of the Statute of the International Court of Justice shall receive for each day they exercise their functions, one three-hundred-and-sixty-fifth of the sum of the annual base salary and interim cost-of-living supplement payable at the time to a member of the Court;

4. *Decides further* that, with effect from 1 January 1986, the President's special allowance shall be \$15,000 per year and that the special daily allowance paid to the Vice-President when acting as President shall be \$94 per day, up to a maximum of \$9,400 per year, and takes note of the statement contained in paragraph 4 of the report of the Advisory Committee on Administrative and Budgetary Questions that such a maximum shall be removed only in extraordinary circumstances.

*122nd plenary meeting
18 December 1985*

B

PENSION SCHEME

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, 3537 A (XXX) of 17 December 1975 and 38/239 of 20 December 1983, on the pension scheme for the members of the International Court of Justice,

Having considered the report of the Secretary-General⁶⁵ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁶⁶

Decides that, with effect from 1 January 1986, and notwithstanding any provision to the contrary contained in the Pension Scheme Regulations for members of the International Court of Justice, the annual value of all pensions in course of payment as at 31 December 1985, including the pensions of any members of the Court who retire on or before that date, shall be increased by 17.1 per cent.

*122nd plenary meeting
18 December 1985*

C

CONDITIONS OF SERVICE

The General Assembly,

Recalling its resolutions 37/237, section XIV, of 21 December 1982, 38/234, section XVII, of 20 December 1983 and 39/236, section V, of 18 December 1984, on conditions of service and compensation for officials other than Secretariat officials,

Having considered the report of the Secretary-General⁶⁷ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁶⁸

1. *Decides* that, with effect from 1 January 1986, the President and members of the Court who have taken up primary residence in The Hague shall be reimbursed, up to a ceiling of \$4,500, for the actual cost of educating their children in respect of each child each year up to the award of the first recognized degree and that provision shall be made for one related travel per year in respect of each child from the place of scholastic attendance, when outside the Netherlands, to The Hague;

2. *Decides* that, with effect from 1 January 1986, those members of the Court who have taken up and maintained a *bona fide* primary residence at The Hague for at least five continuous years during service with the Court shall be eligible to receive a lump sum equivalent to eighteen weeks of annual net base salary upon completion of their appointment and resettlement outside the Netherlands and that those members of the Court who have taken up and maintained a *bona fide* primary residence at The Hague for nine continuous years or more during service with the Court shall receive the equivalent of twenty-four weeks of annual net base salary upon completion of service and relocation outside the Netherlands;

3. *Decides* that, with effect from 1 January 1986, in the event of the death of a member of the Court during his service, compensation shall be provided to the survivors in the form of a lump-sum payment equivalent to one month of base salary per year of service, subject to a minimum of three months and a maximum of nine months.

*122nd plenary meeting
18 December 1985*

⁶³ A/C.5/40/32, paras. 7-26 and 35-41.

⁶⁴ Official Records of the General Assembly, Fortieth Session, Supplement No. 7A (A/40/7/Add.1-18), document A/40/7/Add.10, paras. 2-4 and 6.

⁶⁵ A/C.5/40/32, paras. 27-34.

⁶⁶ Official Records of the General Assembly, Fortieth Session, Supplement No. 7A (A/40/7/Add.1-18), document A/40/7/Add.10, para. 5.

⁶⁷ A/C.5/40/32, paras. 42-53.

⁶⁸ Official Records of the General Assembly, Fortieth Session, Supplement No. 7A (A/40/7/Add.1-18), document A/40/7/Add.10, para. 7.

40/258. Personnel questions

A

COMPOSITION OF THE SECRETARIAT

The General Assembly,

Reaffirming its previous resolutions on personnel questions, in particular resolution 39/245 of 18 December 1984,

Concerned that the targets set in the 1983-1985 medium-term plan of recruitment were not achieved,

Recalling Article 101, paragraph 3, of the Charter of the United Nations, which states:

“The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible”,

1. *Reiterates its request* to the Secretary-General to strengthen the role and emphasize the authority of the Office of Personnel Services of the Department of Administration and Management in recruitment and other personnel matters throughout the Secretariat and to report thereon to the General Assembly at its forty-first session;

2. *Requests* the Secretary-General to develop and apply a second medium-term plan of recruitment for the period 1986-1987 with specific targets for recruitment from unrepresented and underrepresented countries with a view to bringing all Member States within their desirable ranges and to make special efforts to increase the number of staff recruited from Member States below the mid-point of their desirable ranges in order to bring them towards their mid-point;

3. *Further requests* the Secretary-General to continue to ensure the representation of developing countries and other countries in senior and policy-formulating posts, with due regard to equitable geographical distribution and in accordance with the relevant resolutions of the General Assembly;

4. *Requests* the Secretary-General to submit to the General Assembly at its forty-first session proposals for the review of the system of desirable ranges with a view to achieving a balanced application of all factors relevant to the calculation of the desirable ranges, including the population factor, taking into account the views of Member States expressed at the current session;⁶⁹

5. *Requests* the Secretary-General to speed up the recruitment process by setting strict time-limits for the departments and offices concerned to complete the recruitment procedures;

6. *Takes note* of the proposal of the Secretary-General⁷⁰ to introduce, on an experimental basis, a competitive examination at the P-3 level for candidates with the required qualifications and experience and requests him to submit a report thereon to the General Assembly at its forty-first session, taking into account the comments of the Advisory Committee on Administrative and Budgetary Questions⁷¹ and the views of Member States expressed at the current session;⁶⁹

⁶⁹ *Ibid.*, Fortieth Session, Fifth Committee, 46th, 47th, 49th to 51st, 53rd to 55th, 57th, 59th, 62nd and 69th meetings; and *ibid.*, Fifth Committee, *Sessional Fascicle*, corrigendum.

⁷⁰ See A/C.5/40/39, para. 29.

⁷¹ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 7A (A/40/7/Add.1-18)*, document A/40/7/Add.13.

7. *Further requests* the Secretary-General, in his efforts to guarantee to staff members a just and expeditious resolution of disputes and grievances, to streamline the appeals procedures and continue the study on the feasibility of establishing an office of Ombudsman, and to report thereon to the General Assembly at its forty-first session;

8. *Approves* the introduction, in accordance with the recommendation of the International Civil Service Commission,⁷² of after-service health insurance coverage for former locally recruited staff who participated in the medical expense assistance plan in appendix E to the Staff Rules of the United Nations, on the understanding that the Secretary-General will present to the General Assembly at its forty-first session the financial implications of reformulating the scheme to make it comparable to other health insurance schemes of the common system.

122nd plenary meeting
18 December 1985

B

IMPROVEMENT OF THE STATUS OF WOMEN
IN THE SECRETARIAT*The General Assembly,*

Recalling Article 8 of the Charter of the United Nations, which states:

“The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs”,

Further recalling Article 101, paragraph 3, of the Charter of the United Nations, which states:

“The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible”,

Recalling article 8 of the Convention on the Elimination of All Forms of Discrimination against Women,⁷³ which calls upon States Parties to “take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations”,

Reaffirming its relevant resolutions on the need to increase both the overall number of women in posts subject to geographical distribution and the proportion of women at the senior and policy-making levels of the Organization,

Noting the recommendations contained in paragraph 358 of the Nairobi Forward-looking Strategies for the Advancement of Women⁷⁴ with respect to the recruitment, promotion and career development of women by all bodies and organizations of the United Nations system,

Convinced that women should have equal opportunity to serve the international community at all levels of responsibility and that progress in this regard can only be achieved through commitment at the highest levels of the

⁷² *Ibid.*, Supplement No. 30 (A/40/30 and Corr.1), para. 162.

⁷³ Resolution 34/180, annex.

⁷⁴ *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

organizations demonstrated through accountable management practices,

1. *Welcomes* the continuing efforts of the Secretary-General to improve the status of women in the Secretariat and, in particular, the action programme and work plans set out in the report of the Secretary-General on the improvement of the status of women in the Secretariat,⁷⁵ and his providing all necessary assistance for the effective carrying out of all these tasks;

2. *Takes note* of the Secretary-General's decision to reappoint during the biennium 1986-1987, on a temporary basis, a Co-ordinator for the Improvement of the Status of Women in the Secretariat of the United Nations;

3. *Requests* the Secretary-General to take the necessary measures to increase the number of women in posts subject to geographical distribution with a view to achieving, to the extent possible, an overall participation rate of 30 per cent of the total by 1990, without prejudice to the principle of equitable geographical distribution of posts;

4. *Reiterates* that the functions of the Co-ordinator should not duplicate those of the Office of Personnel Services and stresses that the latter Office shall continue to exercise overall responsibility and implement all directives of the General Assembly and policies of the Secretary-General on personnel matters, including the implementation of all policies on the improvement of the status of women in the Secretariat, in particular the action programme and work plans set out in the report of the Secretary-General;⁷⁵

5. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the progress made in implementing the action programme and relevant resolutions of the General Assembly;

6. *Reiterates its request* to Member States to continue to support the efforts of the United Nations and the specialized agencies and related organizations to increase the proportion of women in the Professional category and above by, *inter alia*, nominating more women candidates.

*122nd plenary meeting
18 December 1985*

C

RESPECT FOR THE PRIVILEGES AND IMMUNITIES OF OFFICIALS OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS

The General Assembly,

Recalling Articles 100 and 105 of the Charter of the United Nations,

Reaffirming its previous resolutions, in particular resolution 39/244 of 18 December 1984,

Reiterating the obligation of the staff in the conduct of their duties to observe fully the laws and regulations of Member States,

1. *Takes note with concern* of the report submitted to the General Assembly by the Secretary-General on behalf of the Administrative Committee on Co-ordination;⁷⁶

2. *Deplores* the increasing number of cases involving the abduction and detention of United Nations officials,

experts and military personnel by armed groups and individuals;

3. *Calls upon* all Member States that currently have United Nations officials under arrest or detention to review these cases and to co-ordinate efforts with the Secretary-General to resolve each case with all due speed;

4. *Calls upon* the staff of the United Nations and the specialized agencies and related organizations to comply with the obligations resulting from the Staff Regulations and Rules of the United Nations, in particular regulation 1.8, and from the equivalent provisions governing the staff of the other agencies;

5. *Calls upon* the Secretary-General, as chief administrative officer of the United Nations, 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, and to take all necessary measures to implement the mandates of the General Assembly as reflected in paragraphs 7 and 8 of resolution 39/244.

*122nd plenary meeting
18 December 1985*

40/259. Joint Inspection Unit

The General Assembly,

Taking note of the report of the Joint Inspection Unit on its activities during the period 1 July 1984 to 30 June 1985,⁷⁷ the work programme of the Unit for 1985⁷⁸ and the report of the Secretary-General on the implementation of the recommendations of the Unit,⁷⁹

Recalling its resolution 39/242 of 18 December 1984,

Convinced that the reports presented by the Joint Inspection Unit should receive adequate attention,

Recalling further the role of the Joint Inspection Unit as contained in article 5 of its statute,⁸⁰

1. *Emphasizes* that, in carrying out its function, the Joint Inspection Unit shall fully respect the mandates, resolutions and decisions of the General Assembly and of the legislative organs of the other participating organizations;

2. *Requests* the Joint Inspection Unit, in accordance with its statute, to include in its reports on organizations, whenever appropriate, an evaluation of the programmes and activities of the organizations;

3. *Requests* the Joint Inspection Unit, in presenting its reports, to observe the established procedures as provided for in article 11, paragraph 2, of its statute;

4. *Decides* that each report submitted by the Joint Inspection Unit during the year, along with the comments of the Secretary-General, will be considered under the appropriate agenda item of the General Assembly;

5. *Invites* United Nations organs, after considering reports of the Joint Inspection Unit and the related comments of the Secretary-General, to submit to the General Assembly the results of their review;

6. *Invites* the Joint Inspection Unit to evaluate the results of its activities and to report thereon to the General Assembly at its forty-second session.

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18 December 1985*

⁷⁵ A/C.5/40/30, sects. III.B and IV.

⁷⁶ A/C.5/40/25.

⁷⁷ *Official Records of the General Assembly, Fortieth Session, Supplement No. 34 (A/40/34).*

⁷⁸ A/40/137.

⁷⁹ A/40/655 and Corr.1.

⁸⁰ Resolution 31/192, annex.

IX. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE¹

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40/61. 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 Decem-

ber 1977, 34/145 of 17 December 1979, 36/109 of 10 December 1981 and 38/130 of 19 December 1983,

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,² the Declaration on the Strengthening of International Security,³ the Definition of Aggression⁴ and relevant instruments on international humanitarian law applicable in armed conflict,

Further recalling the existing international conventions relating to various aspects of the problem of international terrorism, *inter alia*, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at

¹ For the decisions adopted on the reports of the Sixth Committee, see sect. X.B.8.

² Resolution 2625 (XXV), annex.

³ Resolution 2734 (XXV).

⁴ Resolution 3314 (XXIX), annex.

Tokyo on 14 September 1963,⁵ the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970,⁶ the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971,⁷ the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, signed at New York on 14 December 1973,⁸ and the International Convention against the Taking of Hostages, adopted at New York on 17 December 1979.⁹

Deeply concerned about the world-wide escalation of acts of terrorism in all its forms, which endanger or take innocent human lives, jeopardize fundamental freedoms and seriously impair the dignity of human beings,

Taking note of the deep concern and condemnation of all acts of international terrorism expressed by the Security Council and the Secretary-General,

Convinced of the importance of expanding and improving international co-operation among States, on a bilateral and multilateral basis, which will contribute to the elimination of acts of international terrorism and their underlying causes and to the prevention and elimination of this criminal scourge,

Reaffirming the principle of self-determination of peoples enshrined in the Charter of the United Nations,

Reaffirming also 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,

Mindful of the necessity of maintaining and safeguarding the basic rights of the individual in accordance with the relevant international human rights instruments and generally accepted international standards,

Convinced of the importance of the observance by States of their obligations under the relevant international conventions to ensure that appropriate law enforcement measures are taken in connection with the offences addressed in those Conventions,

Expressing its concern that in recent years terrorism has taken on forms that have an increasingly deleterious effect on international relations, which may jeopardize the very territorial integrity and security of States,

Taking note of the report of the Secretary-General,¹⁰

1. *Unequivocally condemns*, as criminal, all acts, methods and practices of terrorism wherever and by whomever committed, including those which jeopardize friendly relations among States and their security;

2. *Deeply deploras* the loss of innocent human lives which results from such acts of terrorism;

3. *Also deploras* the pernicious impact of acts of international terrorism on relations of co-operation among States, including co-operation for development;

4. *Appeals* to all States that have not yet done so to consider becoming party to the existing international conventions relating to various aspects of international terrorism;

5. *Invites* all States to take all appropriate measures at the national level with a view to the speedy and final elimi-

nation of the problem of international terrorism, such as the harmonization of domestic legislation with existing international conventions, the fulfilment of assumed international obligations, and the prevention of the preparation and organization in their respective territories of acts directed against other States;

6. *Calls upon* all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in terrorist acts in other States, or acquiescing in activities within their territory directed towards the commission of such acts;

7. *Urges* all States not to allow any circumstances to obstruct the application of appropriate law enforcement measures provided for in the relevant conventions to which they are party to persons who commit acts of international terrorism covered by those conventions;

8. *Also urges* all States to co-operate with one another more closely, especially through the exchange of relevant information concerning the prevention and combating of terrorism, the apprehension and prosecution or extradition 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 terrorists;

9. *Further 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 and to pay special attention to all situations, including colonialism, racism and situations involving mass and flagrant violations of human rights and fundamental freedoms and those involving alien occupation, that may give rise to international terrorism and may endanger international peace and security;

10. *Calls upon* all States to observe and implement the recommendations of the *Ad Hoc* Committee on International Terrorism contained in its report to the General Assembly at its thirty-fourth session;¹¹

11. *Also calls upon* all States to take all appropriate measures, as recommended by the International Civil Aviation Organization and as set forth in relevant international conventions, to prevent terrorist attacks against civil aviation transport and other forms of public transport;

12. *Encourages* the International Civil Aviation Organization to continue its efforts aimed at promoting universal acceptance of and strict compliance with the international air security conventions;

13. *Requests* the International Maritime Organization to study the problem of terrorism aboard or against ships with a view to making recommendations on appropriate measures;

14. *Requests* the Secretary-General to follow up, as appropriate, the implementation of the present resolution and to submit a report to the General Assembly at its forty-second session;

15. *Decides* to include the item in the provisional agenda of its forty-second session.

108th plenary meeting
9 December 1985

⁵ United Nations, *Treaty Series*, vol. 704, No. 10106, p. 219.

⁶ *Ibid.*, vol. 860, No. 12325, p. 106.

⁷ *United States Treaties and Other International Agreements*, vol. 24, part one (1973), p. 268.

⁸ United Nations, *Treaty Series*, vol. 1035, No. 15410, p. 167.

⁹ Resolution 34/146, annex.

¹⁰ A/40/445 and Add.1 and 2.

¹¹ *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 37 (A/34/37)*.

40/65. 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,¹² in particular section II of that resolution, as well as its resolutions 35/161 of 15 December 1980, 36/111 of 10 December 1981 and 38/127 of 19 December 1983, 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 the 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,

Noting from the report of the Secretary-General¹³ that a limited number of comments have been received, which seems to indicate that most Member States are not yet in a position to decide how further to proceed in the consideration of the draft articles on most-favoured-nation clauses,

Considering that sufficient time should be given to Governments for a thorough study of the draft articles and of the questions related to the clauses in order that they may express themselves on the action that should be taken regarding the draft articles,

1. *Calls upon* Member States, interested organs of the United Nations and interested intergovernmental organizations to review the questions related to the most-favoured-nation clauses and the draft articles thereon so that the General Assembly, at its forty-third session, may decide on the action to be taken on the draft articles;

2. *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 1988, any written comments and observations which they deem appropriate on the substance of the draft articles;

3. *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, including the suggestion to establish a working group of the Sixth Committee after one of the existing working groups accomplishes its mandate;

4. *Further requests* the Secretary-General to submit to the General Assembly at its forty-third session a report containing the comments and observations received pursuant to paragraphs 2 and 3 above with a view to taking a final decision on the procedure to be followed;

5. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Consideration of the draft articles on most-favoured-nation clauses".

*112th plenary meeting
11 December 1985*

40/66. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

The General Assembly,

Taking note with appreciation of 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 Law¹⁴ and the recommendations made by the Secretary-General and adopted 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 its resolutions 2464 (XXIII) of 20 December 1968, 2550 (XXIV) of 12 December 1969, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 36/108 of 10 December 1981 and 38/129 of 19 December 1983, in which it stated that in the conduct of the Programme it was desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others, as well as its resolution 34/144 of 17 December 1979, in which it also expressed the hope that, in appointing lecturers for the seminars to be held within the framework of the fellowship programme in international law sponsored jointly by the United Nations and the United Nations Institute for Training and Research, account would be taken of the need to secure representation of major legal systems and balance among various geographical regions,

Noting with regret that the 1985 United Nations Institute for Training and Research regional training and refresher course in international law intended for Asian and Pacific countries could not take place for lack of a host country, and considering the difficulties which the Institute may encounter in finding host countries for the organization of future regional courses,

Noting that the fund of the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea has already become operational,

1. *Authorizes* the Secretary-General to carry out in 1986 and 1987 the activities specified in his report, including the provision of:

(a) A minimum of fifteen fellowships each in 1986 and 1987, at the request of Governments of developing countries;

(b) A minimum of one scholarship each in 1986 and 1987 under the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea to be financed by the fund of voluntary contributions made specifically for the Fellowship;

¹² *Ibid.*, Thirty-third Session, Supplement No. 10 (A/33/10).

¹³ A/40/444.

¹⁴ A/40/893.

(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 1986 and 1987; 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, 10 and 11 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 1984 and 1985, in particular for the organization of the twentieth¹⁵ and twenty-first¹⁶ sessions of the International Law Seminar, held at Geneva from 4 to 22 May 1984 and from 3 to 21 June 1985, respectively, and the participation of the Office of Legal Affairs of the Secretariat and its Codification Division in the activities related to the conduct of the fellowship programme in international law sponsored jointly by the United Nations and the United Nations Institute for Training and Research;

3. *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;

4. *Expresses its appreciation* to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme, in particular for the efforts it has made to support the teaching of international law;

5. *Also expresses its appreciation* to the Government of the Republic of Cameroon and to the International Relations Institute of Cameroon for providing host facilities for the regional training and refresher course for African countries held at Yaoundé from 12 to 24 November 1984;

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 under the fellowship programme in international law in conjunction with the Academy courses and for its constructive efforts in organizing the regional training and refresher courses held at Brasilia in 1983, at Cairo in 1984 and at Rabat in 1985;

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 carry on with the above-mentioned activities;

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 periodically to invite 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, in particular for the International Law Seminar and the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea, and expresses its appreciation to those Member States, institutions and individuals that have made voluntary contributions for this purpose;

11. *Urges* in particular all Governments to make voluntary contributions with a view to covering the amount of \$30,000 needed for the financing of the daily subsistence allowance for up to twenty-five participants in each regional course organized by the United Nations Institute for Training and Research, thus alleviating the burden on prospective host countries and making it possible for the Institute to continue organizing one regional course per year;

12. *Requests* the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the Programme during 1986 and 1987 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;

13. *Decides* to include in the provisional agenda of its forty-second session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

*112th plenary meeting
11 December 1985*

40/67. 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 also 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, 37/103 of 16 December 1982, 38/128 of 19 December 1983, and 39/75 of 13 December 1984, entitled "Progressive development of the principles and norms of international law relating to the new international economic order",

Bearing in mind the urgent need to adopt measures to reactivate the process of international economic co-operation and the negotiations undertaken for that purpose, par-

¹⁵ See *Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 10 (A/39/10)*, paras. 411-421.

¹⁶ *Ibid.*, *Fortieth Session, Supplement No. 10 (A/40/10)*, paras. 326-334.

ticularly in view of the economic difficulties encountered by the developing countries,

Considering the close link between the establishment of a just and equitable international economic order and the existence of an appropriate legal framework,

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

Aware, however, that the period of time available for consideration of the analytical study submitted to the General Assembly at its thirty-ninth session by the United Nations Institute for Training and Research,¹⁷ has been relatively short and that so far only a limited number of Member States have been able to submit their views and comments thereon¹⁸ pursuant to paragraph 2 of resolution 39/75,

Convinced that a sufficient number of views and comments from Member States would be necessary for a proper consideration of the manner by which further work on the subject may be carried out,

1. *Urges* Member States that have not done so to submit, not later than 30 June 1986, their views and comments with respect to the study, including proposals concerning further action and procedures to be adopted within the framework of the Sixth Committee with regard to the consideration of the analytical study;

2. *Recommends* that the consideration of the most appropriate procedure for completing the elaboration of the process of progressive development of the relevant principles and norms of international law, and of the forum which would be entrusted with the task, be undertaken by the General Assembly at its forty-first session, with a view to making a final decision after taking into account all the proposals and suggestions made by Member States on the matter;

3. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Progressive development of the principles and norms of international law relating to the new international economic order".

*112th plenary meeting
11 December 1985*

40/68. 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,

Recalling also its resolutions 38/131 of 19 December 1983 and 39/79 of 13 December 1984,

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

¹⁷ A/39/504/Add.1, annex III.

¹⁸ See A/40/446 and Add.1 and Add.1/Corr.1.

¹⁹ A/38/343, annex; A/C.6/39/L.2.

²⁰ See *Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 33 (A/39/33)*, sect. III.B.

States exclusively by peaceful means and to avoid any military actions 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 peaceful settlement of disputes should be continued,

Taking note of the working papers on the establishment of a commission on good offices, mediation and conciliation for the settlement of disputes and the prevention of conflicts among States, submitted by Nigeria, the Philippines and Romania,¹⁹

Taking into account the elaboration by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization of the outline for the handbook on the peaceful settlement of disputes between States and the conclusions thereon,²⁰

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 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 1986, to continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(a) To continue the consideration of the proposal contained in working papers submitted by Nigeria, the Philippines and Romania;

(b) To examine the report of the Secretary-General on the progress of work on the draft handbook on the peaceful settlement of disputes between States;

4. *Requests* the Secretary-General to continue the preparation of a draft handbook on the peaceful settlement of disputes between States, on the basis of the outline elaborated by the Special Committee and in the light of the views expressed in the course of the discussions in the Sixth Committee²¹ and in the Special Committee,²² and to report to the Special Committee at its session in 1986 on the progress of work, before submitting to it the draft handbook in its final form, with a view to its approval at a later stage;

5. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Peaceful settlement of disputes between States".

*112th plenary meeting
11 December 1985*

40/69. 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 recommenda-

²¹ *Ibid.*, Fortieth Session, Sixth Committee, 37th to 43rd, 48th and 50th meetings.

²² *Ibid.*, Fortieth Session, Supplement No. 33 (A/40/33 and Corr.1), sect. II.

tions 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 1954,²³

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 also 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,

Bearing in mind that the International Law Commission should fulfil its task on the basis of early elaboration of draft articles thereof,

Having considered chapter II of the report of the International Law Commission on the work of its thirty-seventh session,²⁴ in particular paragraph 43 of the report, containing the outline of the future Code proposed by the Special Rapporteur, and paragraphs 99, 100 and 101 of the report containing the conclusions of the Commission,

Taking note of the report of the Secretary-General on the subject,²⁵

Taking into account the views expressed during the debate on this item at the current session,²⁶

Recognizing the importance and 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 an introduction as well as a list of the offences, taking into account the progress made at its thirty-seventh session, as well as the views expressed during the fortieth session of the General Assembly;

2. *Requests* the Secretary-General to seek the views of Member States and intergovernmental organizations regarding the outline of the future Code proposed by the Special Rapporteur and contained in paragraph 43 of the report of the International Law Commission,²⁴ and the conclusions contained in paragraphs 99, 100 and 101 of the said report;

3. *Further requests* the Secretary-General to include the views received from Member States and intergovernmental organizations in accordance with paragraph 2 above in a report to be submitted to the General Assembly at its forty-first session with a view to adopting, at the appropriate time, the necessary decision thereon;

4. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Draft Code of Offences against the Peace and Security of Mankind", to be con-

sidered in conjunction with the examination of the report of the International Law Commission.

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40/70. 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 Relations²⁷ as well as other proposals made during the consideration of the 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, 37/105 of 16 December 1982, 38/133 of 19 December 1983 and 39/81 of 13 December 1984, in which it decided that the Special Committee should continue its work,

Taking note of the statements made by the Chairmen of the Special Committee at its sessions in 1983,²⁸ 1984,²⁹ and 1985,³⁰ based on the informal working paper presented by the Chairman of the Special Committee at its session in 1982,³¹

Having considered the report of the Special Committee on the work of the session it held in 1985,³²

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,

Taking into account the suggestions of States made during the consideration of the report of the Special Committee on the preparation at the present stage of a declaration on the non-use of force in international relations,

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 a world treaty on the non-use of force in international relations and, at the earliest possible date, as an intermediate stage, a declaration 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. *Invites* the Special Committee, in drafting the declaration, to take into consideration the results of work done in the preparation of the working paper containing the main elements of the principle of non-use of force in international relations, as well as the suggestions submitted to it and the efforts undertaken at its previous session;

4. *Invites* Governments to communicate their comments or suggestions on the question considered by the Special Committee;

²³ *Ibid.*, Ninth Session, Supplement No. 9 (A/2693), para. 54.

²⁴ *Ibid.*, Fortieth Session, Supplement No. 10 (A/40/10).

²⁵ A/40/451 and Add.1-3.

²⁶ See *Official Records of the General Assembly, Fortieth Session, Sixth Committee, 23rd to 36th, 44th and 50th meetings; and ibid., Sixth Committee, Sessional Fascicle, corrigendum.*

²⁷ *Ibid.*, Thirty-fourth Session, Supplement No. 41 (A/34/41 and Corr.1), annex.

²⁸ *Ibid.*, Thirty-eighth Session, Supplement No. 41 (A/38/41), para. 59.

²⁹ *Ibid.*, Thirty-ninth Session, Supplement No. 41 (A/39/41), para. 51.

³⁰ *Ibid.*, Fortieth Session, Supplement No. 41 (A/40/41), annex.

³¹ *Ibid.*, Thirty-seventh Session, Supplement No. 41 (A/37/41 and Corr.1), para. 372.

³² *Ibid.*, Fortieth Session, Supplement No. 41 (A/40/41).

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;

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 forty-first session, containing, *inter alia*, the concrete results achieved through the discussion of the elements referred to in paragraph 3 above;

10. *Decides* to include in the provisional agenda of its forty-first 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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11 December 1985*

40/71. 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 eighteenth session,³³

Recalling that the object of the Commission is the promotion of the progressive harmonization and unification of international trade law,

Recalling, in this regard, its resolution 2205 (XXI) of 17 December 1966, as well as all its other resolutions relating to the work of the Commission,

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 interest 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 international trade law,

Stressing the value of participation by States at all levels of economic development, including developing countries, in the process of harmonizing and unifying international trade law,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its eighteenth session;

2. *Commends* the Commission for the progress made in its work and for having reached decisions by consensus;

3. *Calls upon* the Commission 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, and reaffirms the importance, in particular for

developing countries, of the work carried out by the Working Group on the New International Economic Order on a legal guide on the drawing up of international contracts for construction of industrial works;

4. *Notes with particular satisfaction* the completion and adoption by the Commission of the Model Law on International Commercial Arbitration;³⁴

5. *Welcomes* the work of the Commission on the legal implications of automated data processing on the flow of international trade as an activity of vital importance to States at all levels of economic development, including developing countries, and in this connection:

(a) *Commends* the Commission for its recommendation on the legal value of computer records³⁵ which, in conjunction with the preparatory report submitted to the Commission by the Secretary-General,³⁶ aids in clarifying the legal issues;

(b) *Calls upon* Governments and international organizations to take action, where appropriate, in conformity with the recommendation of the Commission³⁵ so as to ensure legal security in the context of the widest possible use of automated data processing in international trade;

6. *Reaffirms* the mandate of the Commission, 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, recommends that the Commission, through its secretariat, should continue to maintain close co-operation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

7. *Reaffirms also* the importance, in particular for the developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law and the desirability for it to sponsor symposia and seminars, in particular those organized on a regional basis, to promote such training and assistance, and, in this connection:

(a) *Expresses its appreciation* to those Governments, regional organizations and institutions that have collaborated with the secretariat of the Commission in organizing regional seminars and symposia in the field of international trade law;

(b) *Welcomes* the initiatives being undertaken by the Commission and its secretariat to collaborate with other organizations and institutions in the organization of regional seminars;

(c) *Invites* Governments, international organizations and institutions to assist the secretariat of the Commission in financing and organizing regional seminars and symposia, in particular in developing countries;

(d) *Invites* Governments, relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to allow the resumption of the programme of the Commission for the award of fellowships on a regular basis to candidates from developing countries to enable them to participate in such symposia and seminars;

8. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law;

9. *Recommends* that the Commission should continue its work on the topics included in its programme of work;

³³ *Ibid.*, Supplement No. 17 (A/40/17).

³⁴ *Ibid.*, annex I.

³⁵ *Ibid.*, Supplement No. 17 (A/40/17), chap. VI, sect. B.

³⁶ A/CN.9/265.

10. *Expresses its appreciation* of the important role played by the International Trade Law Branch of the Office of Legal Affairs of the Secretariat, as the substantive secretariat of the Commission, in assisting in the implementation of the work programme of the Commission.

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40/72. Model Law on International Commercial Arbitration of the United Nations Commission on International Trade Law

The General Assembly,

Recognizing the value of arbitration as a method of settling disputes arising in international commercial relations,

Convinced that the establishment of a model law on arbitration that is acceptable to States with different legal, social and economic systems contributes to the development of harmonious international economic relations,

Noting that the Model Law on International Commercial Arbitration³⁴ was adopted by the United Nations Commission on International Trade Law at its eighteenth session, after due deliberation and extensive consultation with arbitral institutions and individual experts on international commercial arbitration,

Convinced that the Model Law, together with the Convention on the Recognition and Enforcement of Foreign Arbitral Awards³⁷ and the Arbitration Rules of the United Nations Commission on International Trade Law³⁸ recommended by the General Assembly in its resolution 31/98 of 15 December 1976, significantly contributes to the establishment of a unified legal framework for the fair and efficient settlement of disputes arising in international commercial relations,

1. *Requests* the Secretary-General to transmit the text of the Model Law on International Commercial Arbitration of the United Nations Commission on International Trade Law, together with the *travaux préparatoires* from the eighteenth session of the Commission, to Governments and to arbitral institutions and other interested bodies, such as chambers of commerce;

2. *Recommends* that all States give due consideration to the Model Law on International Commercial Arbitration, in view of the desirability of uniformity of the law of arbitral procedures and the specific needs of international commercial arbitration practice.

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11 December 1985*

40/73. 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,³⁹

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 and also the need for enhancing global understanding thereof,

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 relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

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,

Alarmed by the increase of acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,

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,

Emphasizing 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 apprehend the offenders and to bring them to justice,

Noting that, in spite of the call by the General Assembly at its previous sessions, not all States have yet 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 later Assembly resolutions 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, and emphasizes that such acts cannot be justified;

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

³⁷ United Nations, *Treaty Series*, vol. 330, No. 4739, p. 38.

³⁸ United Nations publication, Sales No. E.77.V.6.

³⁹ A/40/453 and Add.1-10.

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. *Calls upon* States to take all necessary measures at the national and international levels to prevent any 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, and, in accordance with national law and international treaties, to prosecute or extradite those who perpetrate such acts;

6. *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;

7. *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;

8. *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;

9. *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;

10. *Requests* the Secretary-General:

(a) To circulate to all States, upon receipt, the reports received by him pursuant to paragraph 9 above, unless the reporting State requests otherwise;

(b) When a serious violation has been reported pursuant to paragraph 9 (a) above, to draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 9 above;

11. *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;

12. *Also requests* the Secretary-General to submit to the General Assembly at its forty-first session a report containing:

(a) Information on the state of ratification of, and accessions to, the instruments referred to in paragraph 7 above;

(b) The reports received and views expressed pursuant to paragraphs 9 and 11 above;

13. *Further requests* the Secretary-General to prepare and to circulate to all States, by 31 July 1986, a survey of the operation, since their establishment, of the reporting procedures provided for in paragraph 9 above, with a view, in particular, to the strengthening of those procedures;

14. *Invites* the Secretary-General to submit to the General Assembly at its forty-first session any views he may wish to express on the matters referred to in paragraphs 12 and 13 above;

15. *Decides* to include in the provisional agenda of its forty-first 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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40/74. 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,²

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 and 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 39/84 of 13 December 1984, 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,

Having considered the report of the *Ad Hoc* Committee on its fifth session,⁴⁰

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,

⁴⁰ Official Records of the General Assembly, Fortieth Session, Supplement No. 43 (A/40/43).

Taking account of the fact that, although the *Ad Hoc* Committee has made some 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 fifth session;

2. *Decides* to renew the mandate of the *Ad Hoc* Committee to enable it to continue its work on the drafting of 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 use the draft articles contained in chapter V of its report,⁴⁰ entitled "Consolidated negotiating basis of a convention against the recruitment, use, financing and training of mercenaries" as a basis for future negotiation on the text of the proposed international convention;

4. *Invites* the *Ad Hoc* Committee to take into account the suggestions and proposals of Member States submitted to the Secretary-General on the subject and the views and comments expressed at the current session of the General Assembly;⁴¹

5. *Decides* that the *Ad Hoc* Committee shall accept the participation of observers of Member States, including participation in the meetings of its working groups;

6. *Requests* the Secretary-General to provide the *Ad Hoc* Committee with any assistance and facilities it may require for the performance of its work;

7. *Decides* that the *Ad Hoc* Committee shall hold its sixth session for four weeks, from 16 June to 11 July 1986;

8. *Requests* the *Ad Hoc* Committee to make every effort to complete its mandate at its sixth session and to submit a draft convention to the General Assembly at its forty-first session;

9. *Decides* to include in the provisional agenda of its forty-first 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".

*112th plenary meeting
11 December 1985*

40/75. Report of the International Law Commission

The General Assembly,

Having considered the report of the International Law Commission on the work of its thirty-seventh session,²⁴

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 Nations² and to give increasing importance to its role in relations among States,

Recognizing the importance of referring legal and draft 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-seventh 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 the topics in its current programme, bearing in mind the clear desirability of achieving as much progress as possible in the preparation of draft articles on specific topics before the conclusion of the term of office of the present membership;

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 297 to 306 of its report;²⁴

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;

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 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 and appeals to States that can do so to make the voluntary contributions that are urgently needed for the holding of the 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 fortieth session of the General Assembly⁴² and to prepare and distribute a topical summary of the debate.

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11 December 1985*

40/76. Preparation for the 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

⁴¹ *Ibid.*, Fortieth Session, Sixth Committee, 13th to 17th, 44th and 48th meetings.

⁴² *Ibid.*, Sixth Committee, 23rd to 36th, 46th and 47th meetings; and *ibid.*, Sixth Committee, Sessional Fascicle, corrigendum.

the law of treaties between States and international organizations or between international organizations adopted by the International Law Commission at its thirty-fourth session,⁴³

Recalling also its resolution 39/86 of 13 December 1984, by which it decided that the United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations should be held at Vienna from 18 February to 21 March 1986, and referred to the Conference, as the basic proposal for its consideration, 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,

Recalling further its appeal, in paragraph 8 of resolution 39/86, to participants in the Conference to organize consultations, primarily on the organization and methods of work of the Conference, including rules of procedure, and on major issues of substance, including final clauses and settlement of disputes, prior to the convening of the Conference in order to facilitate a successful conclusion of its work through the promotion of general agreement,

Reiterating the importance of enhancing the process of codification and progressive development of international law at a universal level,

1. *Considers* that the informal consultations held pursuant to paragraph 8 of resolution 39/86 have proved to be useful in enabling thorough preparation for successful conduct of the United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations;

2. *Expresses its satisfaction* with the successful outcome of the work of the informal consultations conducted by the co-Chairmen;

3. *Decides* that, in addition to the organizations referred to in paragraph 2 (e) of resolution 39/86, the United Nations should participate in the Conference;

4. *Decides* to transmit to the Conference and to recommend that it adopt the draft rules of procedure for the Conference, worked out during the informal consultations and annexed to the present resolution as annex I, taking into account that those draft rules were drafted for the specific use of that Conference in view of its particular nature and the subject-matter to be considered by it;

5. *Decides further* to transmit to the Conference for its consideration and action, as appropriate, a list of draft articles of the basic proposal, for which substantive consideration is deemed necessary and which are annexed to the present resolution as annex II;

6. *Refers* to the Conference for its consideration the draft final clauses presented by the co-Chairmen on which an exchange of views was held and which are annexed to the present resolution as annex III.

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11 December 1985*

ANNEX I

United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations (Vienna, 18 February-21 March 1986)

Draft rules of procedure

I. REPRESENTATION AND CREDENTIALS

Composition of delegations

Rule 1

The delegation of each State, Namibia, represented by the United Nations Council for Namibia and each organization referred to in rule 60

participating in the Conference shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Alternates and advisers

Rule 2

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials, corresponding documents and notifications of delegations

Rule 3

1. The credentials of representatives of States, the corresponding documents of the organizations mentioned in rule 60 as well as appropriate notifications, containing the names and titles of the members of each delegation referred to in rule 1 authorizing them to participate in the Conference shall be submitted early to the Executive Secretary of the Conference, and if possible not later than 24 hours after the opening of the Conference. Any subsequent change in the composition of delegations shall also be submitted to the Executive Secretary.

2. The credentials of representatives of States shall be issued by the head of State or Government or by the minister for foreign affairs.

3. The corresponding documents of organizations referred to in rule 60 shall be submitted to the Executive Secretary of the Conference together with a statement on behalf of the organization confirming that such document is issued in accordance with the internal rules and practices of the organization concerned.

Credentials Committee

Rule 4

A Credentials Committee shall be appointed at the beginning of the Conference. It shall consist of nine members from among the representatives of participating States who shall be appointed by the Conference on the proposal of the President. It shall examine the credentials of representatives of States and report to the Conference without delay. The Credentials Committee shall also verify the corresponding documents submitted by representatives of the organizations referred to in rule 60 in accordance with rule 3 and report to the Conference on those documents.

Provisional participation in the Conference

Rule 5

Pending a decision of the Conference on their credentials, representatives of States shall be entitled to participate provisionally in the Conference. Representatives of the organizations referred to in rule 60 shall likewise be entitled to participate provisionally in the Conference pending its decision on whether the documents submitted by them are in conformity with the requirements provided in rule 3.

II. OFFICERS

Elections

Rule 6

The Conference shall elect from among the representatives of participating States the following officers: a President and twenty-two Vice-Presidents, as well as the Chairman of the Committee of the Whole provided for in rule 47 and the Chairman of the Drafting Committee provided for in rule 48. These officers shall be elected on the basis of ensuring the representative character of the General Committee. The Conference may also elect such other officers as it deems necessary for the performance of its functions.

General powers of the President

Rule 7

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, promote the achievement of general agreement, put questions to the vote and announce decisions reached by general agreement or taken by vote. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjourn-

⁴³ *Ibid.*, Thirty-seventh Session, Supplement No. 10 (A/37/10), chap. II, sect. D.

ment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

Acting President

Rule 8

1. If the President finds it necessary to be absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the powers and duties of the President.

Replacement of the President

Rule 9

If the President is unable to perform his functions, a new President shall be elected.

The President shall not vote

Rule 10

The President, or a Vice-President acting as President, shall not vote in the Conference, but may designate another member of his delegation to vote in his place.

III. GENERAL COMMITTEE

Composition

Rule 11

There shall be a General Committee consisting of twenty-five members which shall comprise the President and Vice-Presidents of the Conference, the Chairman of the Committee of the Whole and the Chairman of the Drafting Committee. The President of the Conference, or in his absence one of the Vice-Presidents designated by him, shall serve as Chairman of the General Committee.

Substitute members

Rule 12

If the President or a Vice-President of the Conference is to be absent during a meeting of the General Committee, he may designate a member of his delegation to sit and vote in the Committee. In case of absence, the Chairman of the Committee of the Whole shall designate the Vice-Chairman of that Committee as his substitute and the Chairman of the Drafting Committee shall designate a member of the Drafting Committee. When serving on the General Committee, the Vice-Chairman of the Committee of the Whole or member of the Drafting Committee shall not have the right to vote if he is of the same delegation as another member of the General Committee.

Functions

Rule 13

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the co-ordination of its work. It shall also exercise powers conferred upon it by rule 63.

IV. SECRETARIAT

Duties of the Secretary-General

Rule 14

1. The Secretary-General of the United Nations shall be the Secretary-General of the Conference. He, or his representative, shall act in that capacity in all meetings of the Conference and its committees.

2. The Secretary-General shall appoint an Executive Secretary of the Conference and shall provide and direct the staff required by the Conference and its committees.

Duties of the secretariat

Rule 15

The secretariat of the Conference shall, in accordance with these rules:

- (a) Interpret speeches made at meetings;
- (b) Receive, translate, reproduce and distribute the documents of the Conference;
- (c) Publish and circulate the official documents of the Conference;
- (d) Prepare and circulate records of public meetings;
- (e) Make and arrange for the keeping of sound recordings of meetings;

(f) Arrange for the custody and preservation of the documents of the Conference in the archives of the United Nations;

(g) Generally perform all other work that the Conference may require.

Statements by the secretariat

Rule 16

In the exercise of the duties referred to in rules 14 and 15, the Secretary-General or any other member of the staff designated for that purpose may, at any time, make either oral or written statements concerning any question under consideration.

V. CONDUCT OF BUSINESS

Quorum

Rule 17

The President may declare a meeting open and permit the debate to proceed when representatives of at least one third of the States participating in the Conference are present. The presence of representatives of two thirds of the States so participating shall be required for any decision to be taken.

Speeches

Rule 18

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 19, 20 and 23 to 25, the President shall call upon speakers in the order in which they signify their desire to speak. The secretariat shall be in charge of drawing up a list of such speakers. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

2. The Conference may limit the time allowed to each speaker and the number of times each representative may speak on a question. Before a decision is taken, two representatives may speak in favour of, and two against, a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 19

The chairman or rapporteur of a committee, or the representative of a sub-committee or working group, may be accorded precedence for the purpose of explaining the conclusions arrived at by his committee, sub-committee or working group.

Points of order

Rule 20

During the discussion of any matter, a representative of a participating State may at any time raise a point of order, which shall be decided immediately by the President in accordance with these rules. A representative of a participating State may appeal against the ruling of the President. The appeal shall be put to the vote immediately, and the President's ruling shall stand unless overruled by a majority of such representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Closing of the list of speakers

Rule 21

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed.

Right of reply

Rule 22

1. Notwithstanding rule 21, the President shall accord the right of reply to any delegation that requests it.

2. Replies made pursuant to the present rule shall be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant issue if that is sooner.

3. The number of interventions in exercise of the right of reply for any delegation at a given meeting should be limited to two per issue.

4. The first intervention in the exercise of the right of reply, for any delegation on any issue at a given meeting, shall be limited to five minutes and the second intervention shall be limited to three minutes.

Adjournment of debate

Rule 23

During the discussion of any matter, a representative may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of,

and two against, the adjournment, after which the motion shall be put immediately to the vote.

Closure of debate

Rule 24

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be put immediately to the vote.

Suspension or adjournment of the meeting

Rule 25

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be put immediately to the vote.

Order of motions

Rule 26

Subject to rule 20, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the question under discussion;
- (d) To close the debate on the question under discussion.

Basic proposal

Rule 27

The draft articles on the law of treaties between States and international organizations or between international organizations, adopted by the International Law Commission,⁴³ shall constitute the basic proposal for consideration by the Conference.

Articles of the basic proposal requiring substantive consideration

Rule 28

1. The Conference shall decide which of the draft articles of the basic proposal referred to in rule 27 require substantive consideration. These draft articles shall be referred to the Committee of the Whole and all other draft articles shall be referred directly to the Drafting Committee.

2. After such a decision is taken by the Conference:

- (a) The Committee of the Whole may decide, at the request of a representative, to give substantive consideration to a particular article of the basic proposal that was referred directly to the Drafting Committee;
- (b) The Drafting Committee itself may decide, where necessary, to transfer particular draft articles of the basic proposal to the Committee of the Whole for substantive consideration.

Other proposals and amendments

Rule 29

Other proposals and amendments thereto shall normally be submitted in writing to the Executive Secretary of the Conference, who shall circulate copies to all delegations. As a general rule, no proposal shall be considered at any meeting of the Conference unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the consideration of amendments, even though these amendments have not been circulated or have only been circulated on the same day.

Decisions on competence

Rule 30

Subject to rule 20, any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal submitted to it shall be put to the vote before the matter is discussed or a decision is taken as to the proposal in question.

Withdrawal of proposals and motions

Rule 31

A proposal may be withdrawn by its proposer at any time before voting on it has commenced, provided that it has not been amended. A proposal or a motion that has thus been withdrawn may be reintroduced.

Reconsideration of proposals

Rule 32

When a proposal has been adopted or rejected it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives of participating States present and voting, so decides. Permission to speak on the motion to reconsider shall be accorded only to two speakers from representatives of participating States opposing the motion, after which it shall be put immediately to the vote.

Invitations to technical advisers

Rule 33

The Conference may invite to one or more of its meetings any person whose technical advice it may consider useful for its work.

VI. DECISION-TAKING

Decision-taking rights

Rule 34

Decision-taking rights shall be exercised only by States participating in the Conference. In decision-taking by vote each State represented at the Conference shall have one vote.

Majority required

Rule 35

1. Decisions of the Conference on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.

2. Decisions of the Conference on matters of procedure shall be taken by a majority of the representatives present and voting.

3. If the question arises whether a matter is one of procedure or of substance, the President shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the representatives present and voting.

Meaning of the phrase "representatives present and voting"

Rule 36

For the purposes of these rules, the phrase "representatives present and voting" means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Method of voting

Rule 37

Except as provided in rule 43, the Conference shall normally vote by show of hands or by standing, but any representative may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President.

Conduct during voting

Rule 38

The President shall announce the commencement of voting, after which no representative shall be permitted to intervene until the result of the vote has been announced, except on a point of order in connection with the process of voting.

Explanation of vote

Rule 39

Representatives may make brief statements consisting solely of explanation of their votes, before the voting has commenced or after the voting has been completed. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

Division of proposals

Rule 40

A representative of a participating State may move that parts of a proposal shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. If the motion for division is carried, those parts of the proposal that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

*Voting on amendments***Rule 41**

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

*Voting on proposals***Rule 42**

If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

*Elections***Rule 43**

All elections shall be held by secret ballot unless otherwise decided by the Conference.

Rule 44

1. If, when one person or one delegation of a participating State is to be elected, no candidate obtains in the first ballot a majority of the votes of the representatives present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the preceding paragraph.

Rule 45

When two or more elective places are to be filled at one time under the same conditions, those candidates, not exceeding the number of such places, obtaining in the first ballot a majority of the votes of the representatives present and voting shall be elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled, provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places have been filled.

*Equally divided votes***Rule 46**

If a vote is equally divided on matters other than elections, the proposal or motion shall be regarded as rejected.

VII. COMMITTEES

*Committee of the Whole***Rule 47**

The Conference shall establish a Committee of the Whole, which may set up sub-committees or working groups. The Committee of the Whole shall have as its officers a Chairman, a Vice-Chairman and a Rapporteur.

*Drafting Committee***Rule 48**

1. The Conference shall establish a Drafting Committee consisting of 15 members representing participating States, including its Chairman who shall be elected by the Conference in accordance with rule 6. The other 14 members of the Committee shall be appointed by the Conference on the proposal of the General Committee. The Rapporteur of the Committee of

the Whole participates *ex officio*, without a vote, in the work of the Drafting Committee.

2. The Drafting Committee shall consider draft articles of the basic proposal referred to it directly pursuant to paragraph 1 of rule 28. It shall also consider any draft articles referred to it by the Committee of the Whole after initial consideration by that Committee. The Drafting Committee shall furthermore prepare drafts and give advice on drafting as requested by the Conference or by the Committee of the Whole. It shall also co-ordinate and review the drafting of all texts adopted and shall report, as appropriate, either to the Conference or to the Committee of the Whole.

*Officers***Rule 49**

Except as otherwise provided in rule 6, each committee, sub-committee and working group shall elect its own officers from among representatives of participating States.

*Quorum***Rule 50**

1. The Chairman of the Committee of the Whole may declare a meeting open and permit the debate to proceed when representatives of at least one quarter of the States participating in the Conference are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

2. A majority of the representatives on the General, Drafting or Credentials Committees or any sub-committee or working group shall constitute a quorum.

*Officers, conduct of business and decision-taking***Rule 51**

The rules contained in chapters II, V (except rule 17) and VI above shall be applicable, *mutatis mutandis*, to the proceedings of committees, sub-committees and working groups, except that:

(a) The Chairmen of the General, Drafting and Credentials Committees and the chairman of any sub-committee or working group may exercise the right to vote;

(b) Decisions of committees, sub-committees and working groups shall be taken by a majority of the representatives of States present and voting, except that the reconsideration of a proposal or an amendment shall require the majority established by rule 32.

VIII. LANGUAGES AND RECORDS

*Languages of the Conference***Rule 52**

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference.

*Interpretation***Rule 53**

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.

2. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language.

*Records and sound recordings of meetings***Rule 54**

1. Summary records of the plenary meetings of the Conference and of the meetings of the Committee of the Whole shall be kept in the languages of the Conference. As a general rule, they shall be circulated as soon as possible, simultaneously in all the languages of the Conference, to all representatives, who shall inform the secretariat within five working days after the circulation of the summary record of any changes they wish to have made.

2. The secretariat shall make sound recordings of meetings of the Conference, the Committee of the Whole and the Drafting Committee. Such recordings shall be made of meetings of other committees, sub-committees or working groups when the body concerned so decides.

*Languages of official documents***Rule 55**

Official documents shall be made available in the languages of the Conference.

IX. PUBLIC AND PRIVATE MEETINGS

*Plenary meetings and meetings of committees**Rule 56*

The plenary meetings of the Conference and the meetings of committees shall be held in public unless the body concerned decides otherwise. All decisions taken by the plenary of the Conference at a private meeting shall be announced at an early public meeting of the plenary.

*Meetings of sub-committees or working groups**Rule 57*

As a general rule meetings of a sub-committee or working group shall be held in private.

*Communiqués on private meetings**Rule 58*

At the close of a private meeting, the chairman of the organ concerned may issue a communiqué to the press through the Executive Secretary.

X. OTHER PARTICIPANTS AND OBSERVERS

*Representatives of the United Nations Council for Namibia**Rule 59*

Representatives designated by the United Nations Council for Namibia may participate in the deliberations of the Conference, the Committee of the Whole and other committees, sub-committees or working groups, in accordance with the relevant resolutions and decisions of the General Assembly.

Representatives of the United Nations and of the organizations that have received an invitation from the General Assembly in subparagraph 2 (e) of its resolution 39/86

Rule 60

1. Except as otherwise provided in the present rules, representatives designated by the United Nations or by organizations referred to in subparagraph 2 (e) of General Assembly resolution 39/86, that have traditionally been invited to participate as observers at legal codification conferences convened under the auspices of the United Nations, shall participate in the Conference in the following capacity:

(a) To participate in public and private meetings of the Conference, the Committee of the Whole, sub-committees and working groups, as well as in the process leading to general agreement;

(b) To submit documents for circulation;

(c) To intervene in the debates;

— To exercise the right of reply in accordance with rule 22;

— To explain their positions on any matter on which a decision has been or is to be taken;

(d) To submit substantive proposals, which as such may only be put to the vote subject to rule 63 if a formal request is made by a State to that effect. If the proposal has been circulated in writing, the formal request shall be circulated in the same manner;

(e) To submit procedural motions, including those referred to in rules 23, 24 and 25, which may not be put to the vote unless supported by a State.

2. Representatives of the organizations participating in the Conference in accordance with paragraph 1 of this rule may not:

(a) Object to any procedural motion put forward by a representative of a participating State;

(b) Prevent on their own the achievement of general agreement or participate in any vote.

3. Delegations of the organizations referred to in paragraph 1 shall be seated in alphabetical order following the seating of delegations of States.

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 in accordance with General Assembly resolutions 3237 (XXIX) and 31/152

Rule 61

Representatives designated by organizations that have received a standing invitation from the General Assembly in accordance with General

Assembly resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976 to participate in the sessions and the work of all international conferences convened under its auspices have the right to participate as observers, without the right to vote, in the deliberations of the Conference, the Committee of the Whole and, as appropriate, other committees, sub-committees or working groups.

*Representatives of national liberation movements**Rule 62*

Representatives designated by national liberation movements invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference, the Committee of the Whole and, as appropriate, other committees, sub-committees or working groups.

XI. PROMOTION OF GENERAL AGREEMENT

*Promotion of general agreement**Rule 63*

1. The Conference shall, both at the plenary and at the Committee of the Whole stages, make every effort to reach general agreement on matters of substance, particularly on the final results of the work of the Conference, and there shall be no voting on such matters until all efforts to that end have been exhausted.

2. In endeavouring to reach general agreement, all possible means shall be used. The officers of the Conference shall chair as appropriate, coordinate and supervise meetings with a view to enhancing the prospects of reaching general agreement.

3. If, in the consideration of any matter of substance, no general agreement appears to be attainable, the President of the Conference shall inform the General Committee that efforts to reach general agreement have failed. The General Committee shall thereupon consider the matter and may recommend that it be decided by a vote, indicating the date of the vote, and place the question before the plenary or the Committee of the Whole as the case may be.

XII. AMENDMENTS TO THE RULES OF PROCEDURE

*Method of amendment**Rule 64*

These rules of procedure may be amended by a decision of the Conference taken by a two-thirds majority of the representatives of participating States present and voting.

ANNEX II

List of draft articles of the basic proposal, for which substantive consideration is deemed necessary⁴⁴

1. Article 2⁴⁵ "Use of terms"
2. Article 3 "International agreements not within the scope of the present articles"
3. Article 5 "Treaties constituting international organizations and treaties adopted within an international organization"
4. Article 6 "Capacity of international organizations to conclude treaties"
5. Article 7 "Full powers and powers"
6. Article 9 "Adoption of the text"
— paragraph 2
7. Article 11 "Means of expressing consent to be bound by a treaty"
— paragraph 2 (arts. 14.3, 16, 18 and 19.2 are closely related to this paragraph)
8. Article 19 "Formulation of reservations"
9. Article 20 "Acceptance of and objection to reservations"
10. Article 27 "Internal law of States, rules of international organizations and observance of treaties"
11. Article 30 "Application of successive treaties relating to the same subject-matter"
— paragraph 6
12. Article 36 *bis* "Obligations and rights arising for States members of an international organization from a treaty to which it is a party"
13. Article 38 "Rules in a treaty becoming binding on third States or third organizations through international custom"

⁴⁴ It is understood that if certain changes to the articles listed were approved by the Conference, consequential changes might have to be introduced in other draft articles.

⁴⁵ It is noted that since draft article 2 sets out definitions, its provisions should not be considered separately but in conjunction with the substantive consideration of other articles to which those definitions are closely related.

14. Article 45 "Loss of a right to invoke a ground for invalidating, terminating, withdrawing from or suspending the operation of a treaty"
15. Article 46 "Provisions of internal law of a State and rules of an international organization regarding competence to conclude treaties"
 - paragraph 2
 - paragraph 3
 - paragraph 4
16. Article 56 "Denunciation of or withdrawal from a treaty containing no provision regarding termination, denunciation or withdrawal"
17. Article 61 "Supervening impossibility of performance"
18. Article 62 "Fundamental change of circumstances"
19. Article 65 "Procedure to be followed with respect to invalidity, termination, withdrawal from or suspensions of the operation of a treaty"
 - paragraph 3
20. Article 66 "Procedures for arbitration and conciliation"
21. Article 73 "Cases of succession of States, responsibility of a State or of an international organization, outbreak of hostilities, termination of the existence of an organization and termination of participation by a State in the membership of an organization"
22. Article 75 "Case of an aggressor State"
23. Article 77 "Functions of depositaries"
24. Annex "Arbitration and conciliation procedures established in application of article 66"

ANNEX III

Draft final clauses

(Based on those of the 1969 Vienna Convention on the Law of Treaties⁴⁶)

FINAL PROVISIONS

Article 81

SIGNATURE

The present Convention shall be open for signature until . . . (date, month, year) at the Federal Ministry for Foreign Affairs of the Republic of Austria, and subsequently, until . . . (date, month, year), at the United Nations Headquarters, New York by:

- (a) All States;
- (b) Namibia, represented by the United Nations Council for Namibia;
- (c) International organizations invited to participate in the United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations.

Article 82

RATIFICATION OR ACT OF FORMAL CONFIRMATION

The present Convention is subject to ratification by States and by Namibia, represented by the United Nations Council for Namibia, and to acts of formal confirmation by international organizations. The instruments of ratification and those relating to acts of formal confirmation shall be deposited with the Secretary-General of the United Nations.

Article 83

ACCESSION

1. The present Convention shall remain open for accession by any State, by Namibia, represented by the United Nations Council for Namibia, and by any international organization which has the capacity to conclude treaties.
2. An instrument of accession of an international organization shall contain a declaration that it has the capacity to conclude treaties.
3. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

⁴⁶ Official Records of the United Nations Conference on the Law of Treaties, First and Second Sessions, Vienna, 26 March-24 May 1968 and 9 April-22 May 1969, Documents of the Conference (United Nations publication, Sales No. E.70.V.5), p. 287.

Article 84

ENTRY INTO FORCE

1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the . . . instrument of ratification or accession by States or by Namibia, represented by the United Nations Council for Namibia.
2. For each State or for Namibia, represented by the United Nations Council for Namibia, ratifying or acceding to the Convention after the condition specified in paragraph 1 has been fulfilled, the Convention shall enter into force on the thirtieth day after deposit by such State or by Namibia of its instrument of ratification or accession.
3. For each international organization depositing an instrument relating to an act of formal confirmation or an instrument of accession, the Convention shall enter into force on the thirtieth day after such deposit, provided that it shall not so enter into force before the Convention enters into force pursuant to paragraph 1.

Article 85

AUTHENTIC TEXTS

The original of the present 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.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized by their respective Governments, and duly authorized representatives of the United Nations Council for Namibia and of international organizations have signed the present Convention.

DONE AT VIENNA this . . . day of . . . one thousand nine hundred and eighty-six.

40/77. 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,⁴⁷

Recalling Article 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,⁴⁸

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,

Having considered the concerns regarding recent legislation of the host country pertaining to the travel of certain members of the Secretariat,

Taking note of the positions of the Secretary-General of the United Nations and the host country with regard to the application by the host country of the above-mentioned legislation,

1. *Endorses* the recommendations of the Committee on Relations with the Host Country contained in paragraph 56 of its report;⁴⁷
2. *Strongly condemns* any terrorist and criminal acts violating the security of missions accredited to the United Nations and the safety of their personnel;
3. *Urges* the host country to continue to take all necessary measures to ensure effectively the protection, security

⁴⁷ Official Records of the General Assembly, Fortieth Session, Supplement No. 26 (A/40/26).

⁴⁸ Resolution 22 A (1).

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. *Reiterates* that adherence of all Member States to the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations⁴⁹ and to other relevant agreements is an indispensable condition for the normal functioning of the Organization and permanent missions in New York and underlines the necessity for avoiding any action not consistent with obligations in accordance with the Agreement and international law;

5. *Urges* the host country and the Secretary-General to seek a solution that is in accord with the Agreement with regard to the recent legislation adopted by the host country;

6. *Calls upon* countries, especially the host country, to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and all missions accredited to it in the strengthening of international peace and security;

7. *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, violence and harassment against the missions and their personnel, as well as the need for any pertinent legislation adopted by the host country to be in accord with the Agreement and its other relevant obligations;

8. *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;

9. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Report of the Committee on Relations with the Host Country".

*112th plenary meeting
11 December 1985*

40/78. 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 Decem-

ber 1979, 35/164 of 15 December 1980, 36/122 of 11 December 1981, 37/114 of 16 December 1982, 38/141 of 19 December 1983 and 39/88 of 13 December 1984,

Taking note of the reports of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh,⁵⁰ thirty-ninth⁵¹ and fortieth⁵² sessions, as well as of the views and comments expressed on them by Member States,

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 1985,⁵³

Taking into account the work accomplished on the working paper on the prevention and removal of threats to the peace and of situations which may lead to international friction or give rise to a dispute,⁵⁴

Taking into account the elaboration by the Special Committee of the outline for the handbook on the peaceful settlement of disputes between States and the conclusions thereon,²⁰

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 7 April to 2 May 1986;

3. *Requests* the Special Committee at its session in 1986:

(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 5 below, for the adoption of such recommendations as the Assembly deems appropriate; in doing so, the Special Committee should work expeditiously on the working paper on the prevention and removal of threats to the peace and of situations that may lead to international friction or give rise to a dispute, or any revision thereof, as well as other proposals which might be made on this question, with a view to completing its consideration thereof;

(b) To continue its work on the question of the peaceful settlement of disputes between States and, in this context:

- (i) To continue consideration of the proposal contained in the working papers on the establishment of a commission on good offices, mediation and conciliation;¹⁹
- (ii) To examine the progress report of the Secretary-General on the elaboration of the draft handbook on the peaceful settlement of disputes between States;

⁴⁹ Resolution 169 (II).

⁵⁰ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1)*.

⁵¹ *Ibid.*, *Thirty-ninth Session, Supplement No. 1 (A/39/1)*.

⁵² *Ibid.*, *Fortieth Session, Supplement No. 1 (A/40/1)*.

⁵³ *Ibid.*, *Supplement No. 33 (A/40/33 and Corr.1)*.

⁵⁴ *Ibid.*, *sect. III*.

4. *Requests* the Special Committee to keep the question of the rationalization of the procedures of the United Nations under active review;

5. *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;

6. *Urges* members of the Special Committee to participate fully in its work in fulfilment of the mandate entrusted to it;

7. *Decides* that the Special Committee shall accept the participation of observers of Member States, including in the meetings of its working groups;

8. *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);

9. *Requests* the Secretary-General to render all assistance to the Special Committee;

10. *Requests* the Secretary-General to continue the preparation of a draft handbook on the peaceful settlement

of disputes between States, on the basis of the outline elaborated by the Special Committee and in the light of the views expressed in the course of the discussions in the Sixth Committee²¹ and in the Special Committee,²² and to report to the Special Committee at its session in 1986 on the progress of work, before submitting to it the draft handbook in its final form, with a view to its approval at a later stage;

11. *Requests* the Special Committee to submit a report on its work to the General Assembly at its forty-first session;

12. *Decides* to include in the provisional agenda of its forty-first 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".

*112th plenary meeting
11 December 1985*

X. DECISIONS

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A. ELECTIONS AND APPOINTMENTS

40/301. Appointment of the members of the Credentials Committee

At its 1st plenary meeting, on 17 September 1985, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed the following nine States members of the Credentials Committee: BOTSWANA, BRAZIL, BURUNDI, CANADA, CHINA, PAPUA NEW GUINEA, SURINAME, UNION OF SOVIET SOCIALIST REPUBLICS and UNITED STATES OF AMERICA.

40/302. Election of the President of the General Assembly²

At its 1st plenary meeting, on 17 September 1985, 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. Jaime DE PINTÉS (Spain) President of the General Assembly.

40/303. Election of the Vice-Presidents of the General Assembly²

At its 2nd plenary meeting, on 17 September 1985, 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: BAHAMAS, BARBADOS, BURKINA FASO, CHINA, COSTA RICA, CYPRUS, DEMOCRATIC YEMEN, FRANCE, GABON, KENYA, LESOTHO, MALTA, PAKISTAN, PHILIPPINES, QATAR, ROMANIA, SENEGAL, TUNISIA, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and UNITED STATES OF AMERICA.

40/304. Election of the Chairmen of the Main Committees²

On 17 September 1985, 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 17 September 1985, the President of the General Assembly announced that the following persons had been elected Chairmen of the Main Committees:

- First Committee:* Mr. Ali ALATAS (Indonesia)
- Special Political Committee:* Mr. Keijo KORHONEN (Finland)
- Second Committee:* Mr. Omer BIRIDO (Sudan)
- Third Committee:* Mr. Endre ZADOR (Hungary)
- Fourth Committee:* Mr. Javier CHAMORRO MORA (Nicaragua)
- Fifth Committee:* Mr. Tommo MONTHE (Cameroon)
- Sixth Committee:* Mr. Riyadh AL-QAYSI (Iraq)

40/305. Appointment of members of the Advisory Committee on Administrative and Budgetary Questions

A

APPOINTMENT OF A MEMBER OF THE ADVISORY COMMITTEE

At its 11th plenary meeting, on 26 September 1985, the General Assembly, on the recommendation of the Fifth Committee,³ appointed the following person as a member

² 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.

³ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 17, document A/40/681, para. 4.*

of the Advisory Committee on Administrative and Budgetary Questions for a term of office beginning on 26 September 1985 and ending on 31 December 1986:

Mr. Luiz Sergio Gama Figueira.

B

APPOINTMENT OF A MEMBER OF THE ADVISORY COMMITTEE

At its 94th plenary meeting, on 27 November 1985, the General Assembly, on the recommendation of the Fifth Committee,⁴ appointed the following person as a member of the Advisory Committee on Administrative and Budgetary Questions for a term of office beginning on 27 November 1985 and ending on 31 December 1987:

Mr. Noureddine Sefiani.

C

APPOINTMENT OF SIX MEMBERS OF THE ADVISORY COMMITTEE

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,⁵ appointed the following persons as members of the Advisory Committee on Administrative and Budgetary Questions:

(a) For a three-year term of office beginning on 1 January 1986:

Mr. Ahmad Fathi Al-Masri,
Mr. Traian Chebeleu,
Mr. C. S. M. Mselle,
Mr. Oluseye D. Oduyemi,
Mr. Christopher R. Thomas;

(b) For a two-year term of office beginning on 1 January 1986:

Mr. Richard Nygard.

D

APPOINTMENT OF A MEMBER OF THE ADVISORY COMMITTEE

At its 130th plenary meeting, on 1 May 1986, the General Assembly, on the recommendation of the Fifth Committee,⁶ appointed the following person as a member of the Advisory Committee on Administrative and Budgetary Questions for a term of office beginning on 1 May 1986 and ending on 31 December 1987:

Mr. Viktor Aleksandrovich Vislykh.

As a result, the Advisory Committee on Administrative and Budgetary Questions is composed as follows: Mr. Ahmad Fathi AL-MASRI (*Syrian Arab Republic*),*** Mr. Henrik AMNÉUS (*Sweden*),* Mr. Traian CHEBELEU (*Romania*),*** Mr. Ever FONTAINE-ORTIZ (*Cuba*),** Mr. Luiz Sergio GAMA FIGUEIRA (*Brazil*),* Mr. Jobst HOLBORN (*Federal Republic of Germany*),** Mr. Ma Longde (*China*),* Mr. C. S. M. MSELLE (*United Republic of Tanzania*),*** Mr. Andrew Robin MURRAY (*United Kingdom of Great Britain and Northern Ireland*),* Mr. Richard NYGARD (*United States of America*),** Mr. Oluseye D. ODUYEMI (*Nigeria*),*** Mr. Banbit A. ROY (*India*),* Mr. Noureddine SEFIANI (*Morocco*),** Mr. Yukio TAKASU (*Japan*),* Mr. Christopher R. THOMAS (*Trinidad and Tobago*)*** and Mr. Viktor Aleksandrovich VISLYKH (*Union of Soviet Socialist Republics*).**

* Term of office expires on 31 December 1986.

** Term of office expires on 31 December 1987.

*** Term of office expires on 31 December 1988.

40/306. Election of five non-permanent members of the Security Council

At its 38th plenary meeting, on 17 October 1985, 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 BULGARIA, the CONGO, GHANA, the UNITED ARAB EMIRATES and VENEZUELA non-permanent members of the Security Council for a two-year term of office beginning on 1 January 1986 to fill the vacancies occurring on the expiration of the terms of office of BURKINA FASO, EGYPT, INDIA, PERU and the UKRAINI-AN SOVIET SOCIALIST REPUBLIC.

As a result, the Security Council is composed of the following Member States: AUSTRALIA,* BULGARIA,** CHINA, CONGO,** DENMARK,* FRANCE, GHANA,** MADAGASCAR,*

⁴ *Ibid.*, document A/40/681/Add.1, para. 4.

⁵ *Ibid.*, document A/40/681/Add.2, para. 4.

⁶ *Ibid.*, document A/40/681/Add.3, para. 4.

THAILAND,* TRINIDAD AND TOBAGO,* 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 1986.

** Term of office expires on 31 December 1987.

40/307. Election of eighteen members of the Economic and Social Council

At its 39th plenary meeting, on 17 October 1985, 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 AUSTRALIA, BELGIUM, the BYELORUSSIAN SOVIET SOCIALIST REPUBLIC, DJIBOUTI, EGYPT, GABON, the GERMAN DEMOCRATIC REPUBLIC, IRAQ, ITALY, JAMAICA, MOZAMBIQUE, PAKISTAN, PANAMA, PERU, the PHILIPPINES, SIERRA LEONE, the SYRIAN ARAB REPUBLIC and the UNITED STATES OF AMERICA for a three-year term of office beginning on 1 January 1986 to fill the vacancies occurring on the expiration of the terms of office of ALGERIA, BOTSWANA, BULGARIA, CONGO, DJIBOUTI, ECUADOR, the GERMAN DEMOCRATIC REPUBLIC, LEBANON, LUXEMBOURG, MALAYSIA, MEXICO, the NETHERLANDS, NEW ZEALAND, SAUDI ARABIA, SIERRA LEONE, SURINAME, THAILAND and the UNITED STATES OF AMERICA.

As a result, the Economic and Social Council is composed of the following Member States: ARGENTINA,* AUSTRALIA,*** BANGLADESH,** BELGIUM,*** BRAZIL,** BYELORUSSIAN SOVIET SOCIALIST REPUBLIC,*** CANADA,* CHINA,* COLOMBIA,** COSTA RICA,* DJIBOUTI,*** EGYPT,*** FINLAND,* FRANCE,** GABON,*** GERMAN DEMOCRATIC REPUBLIC,*** GERMANY, FEDERAL REPUBLIC OF,** GUINEA,** GUYANA,* HAITI,** ICELAND,** INDIA,** INDONESIA,* IRAQ,*** ITALY,*** JAMAICA,*** JAPAN,** MOROCCO,** MOZAMBIQUE,*** NIGERIA,** PAKISTAN,*** PANAMA,*** PAPUA NEW GUINEA,* PERU,*** PHILIPPINES,*** POLAND,* ROMANIA,** RWANDA,* SENEGAL,** SIERRA LEONE,*** SOMALIA,* SPAIN,** SRI LANKA,* SWEDEN,* SYRIAN ARAB REPUBLIC,*** TURKEY,** UGANDA,* UNION OF SOVIET SOCIALIST REPUBLICS,* UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,* UNITED STATES OF AMERICA,*** VENEZUELA,** YUGOSLAVIA,* ZAIRE* and ZIMBABWE.**

* Term of office expires on 31 December 1986.

** Term of office expires on 31 December 1987.

*** Term of office expires on 31 December 1988.

40/308. Confirmation of the appointment of the Secretary-General of the United Nations Conference on Trade and Development

At its 87th plenary meeting, on 21 November 1985, the General Assembly, on the proposal of the Secretary-General,⁷ confirmed the appointment of Mr. Kenneth K. S. DADZIE as Secretary-General of the United Nations Conference on Trade and Development for a term of office of three years beginning on 1 January 1986.

40/309. Election of a member of the International Court of Justice

The General Assembly at its 108th plenary meeting, on 9 December 1985, and the Security Council at its 2632nd meeting, on the same date, proceeded independently of one another to elect, in accordance with Articles 2 to 4, 7 to 12, 14 and 15 of the Statute of the International Court of Justice, rules 150 and 151 of the rules of procedure of the Assembly and rules 40 and 61 of the provisional rules of procedure of the Council, a member of the Court for a term of office expiring on 5 February 1988 to fill the vacancy caused by the resignation of Mr. Platon Dmitrievich MOROZOV (*Union of Soviet Socialist Republics*).⁸ The following person was elected:

Mr. Nikolai Konstantinovich Tarasov (Union of Soviet Socialist Republics).

As a result, the International Court of Justice is composed as follows: Mr. Nagendra SINGH (*India*),** President, Mr. Guy LADREIT DE LACHARRIÈRE (*France*),** Vice-President, Mr. Manfred LACHS (*Poland*),*** Mr. José María RUDA (*Argentina*),** Mr. Taslim Olawale ELIAS (*Nigeria*),*** Mr. Shigeru ODA (*Japan*),*** Mr. Roberto AGO (*Italy*),* Mr. José SETTE-CÂMARA (*Brazil*),* Mr. Stephen SCHWEBEL (*United States of America*),* Sir Robert Y. JENNINGS (*United Kingdom of Great Britain and Northern Ireland*),** Mr. Kéba Mbaye (*Senegal*),** Mr. Mohammed BEDJAOUI (*Algeria*),* Mr. Ni Zhengyu

⁷ A/40/901, para. 4.

⁸ See *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 16, document A/40/990-S/17672, and A/40/870-S/17621, A/40/991-S/17673.*

(China),*** Mr. Jens EVENSEN (Norway)*** and Mr. Nikolai Konstantinovich TARASOV (Union of Soviet Socialist Republics).*

- * Term of office expires on 5 February 1988.
 ** Term of office expires on 5 February 1991.
 *** Term of office expires on 5 February 1994.

40/310. Election of the United Nations High Commissioner for Refugees

At its 111th plenary meeting, on 10 December 1985, the General Assembly, on the proposal of the Secretary-General,⁹ elected Mr. Jean-Pierre Hocké as United Nations High Commissioner for Refugees for a term of office of three years beginning on 1 January 1986.

40/311. Election of twelve members of the World Food Council

At its 111th plenary meeting, on 10 December 1985, the General Assembly on the basis of the nominations by the Economic and Social Council,¹⁰ elected, in accordance with paragraph 8 of its resolution 3348 (XXIX) of 17 December 1974, ANTIGUA AND BARBUDA, AUSTRALIA, BANGLADESH, CYPRUS, the DOMINICAN REPUBLIC, the GERMAN DEMOCRATIC REPUBLIC, GERMANY, FEDERAL REPUBLIC OF, GUINEA, HONDURAS, MALI, SOMALIA and the UNION OF SOVIET SOCIALIST REPUBLICS members of the World Food Council for a three-year term of office beginning on 1 January 1986 to fill the vacancies occurring on the expiration of the terms of office of AUSTRALIA, BANGLADESH, ECUADOR, ETHIOPIA, the GERMAN DEMOCRATIC REPUBLIC, GERMANY, FEDERAL REPUBLIC OF, GHANA, NICARAGUA, NIGERIA, the UNION OF SOVIET SOCIALIST REPUBLICS, the UNITED ARAB EMIRATES and VENEZUELA.

As a result, the World Food Council is composed of the following States: ANTIGUA AND BARBUDA,*** ARGENTINA,* AUSTRALIA,*** BANGLADESH,*** BRAZIL,** BULGARIA,** BURUNDI,* CANADA,** CENTRAL AFRICAN REPUBLIC,* CHILE,* CHINA,** CÔTE D'IVOIRE,** CYPRUS,*** DOMINICAN REPUBLIC,*** FINLAND,* FRANCE,* GERMAN DEMOCRATIC REPUBLIC,*** GERMANY, FEDERAL REPUBLIC OF,*** GUINEA,*** HONDURAS,*** HUNGARY,* IRAQ,* ITALY,* JAPAN,* KENYA,** MALI,*** MEXICO,** MOROCCO,* PAKISTAN,* SOMALIA,*** SRI LANKA,** THAILAND,** TURKEY,** UNION OF SOVIET SOCIALIST REPUBLICS,*** UNITED STATES OF AMERICA** and ZAMBIA.**

- * Term of office expires on 31 December 1986.
 ** Term of office expires on 31 December 1987.
 *** Term of office expires on 31 December 1988.

40/312. Election of seven members of the Committee for Programme and Co-ordination

At its 111th plenary meeting, on 10 December 1985, the General Assembly, on the basis of the nominations by the Economic and Social Council,¹¹ elected, in accordance with paragraph 7 of the annex to Council resolution 2008 (LX) of 14 May 1976, ARGENTINA, BENIN, FRANCE, PERU, the UNION OF SOVIET SOCIALIST REPUBLICS, the UNITED STATES OF AMERICA and ZAMBIA members of the Committee for Programme and Co-ordination for a three-year term of office beginning on 1 January 1986 to fill the vacancies occurring on the expiration of the terms of office of ARGENTINA, CHILE, ETHIOPIA, FRANCE, NIGERIA, the UNION OF SOVIET SOCIALIST REPUBLICS and the UNITED STATES OF AMERICA.

As a result, the Committee for Programme and Co-ordination is composed of the following Member States: ARGENTINA,*** BANGLADESH,** BENIN,*** BRAZIL,* BYELORUSSIAN SOVIET SOCIALIST REPUBLIC,** CAMEROON,* EGYPT,* FRANCE,*** GERMANY, FEDERAL REPUBLIC OF,** INDIA,* INDONESIA,* JAPAN,* LIBERIA,* NETHERLANDS,** PERU,*** TRINIDAD AND TOBAGO,** UNION OF SOVIET SOCIALIST REPUBLICS,*** UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,** UNITED STATES OF AMERICA,*** YUGOSLAVIA** and ZAMBIA.***

- * Term of office expires on 31 December 1986.
 ** Term of office expires on 31 December 1987.
 *** Term of office expires on 31 December 1988.

40/313. Election of nineteen members of the United Nations Commission on International Trade Law

At its 111th plenary meeting, on 10 December 1985, the General Assembly, in accordance with section II, paragraphs 1 to 3, of its resolution 2205 (XXI) of 17 Decem-

⁹ See A/40/1014, para. 3.

¹⁰ Economic and Social Council decision 1985/160 of 30 May 1985. See also A/40/404, para. 2.

¹¹ Economic and Social Council decision 1985/160 of 30 May 1985. See also A/40/405 and Corr.1, para. 4.

ber 1966, as amended by paragraph 8 of its resolution 3108 (XXVIII) of 12 December 1973 and by paragraph 10 (b) of its resolution 31/99 of 15 December 1976, elected ARGENTINA, CHILE, CUBA, CYPRUS, CZECHOSLOVAKIA, HUNGARY, INDIA, IRAN (ISLAMIC REPUBLIC OF), IRAQ, ITALY, KENYA, LESOTHO, the LIBYAN ARAB JAMAHIRIYA, the NETHERLANDS, SIERRA LEONE, SPAIN, the UNITED STATES OF AMERICA, URUGUAY and YUGOSLAVIA members of the United Nations Commission on International Trade Law for a six-year term of office beginning on the first day of the nineteenth session of the Commission, 16 June 1986, to fill the vacancies occurring on the expiration of the terms of office of CUBA, CYPRUS, CZECHOSLOVAKIA, GERMANY, FEDERAL REPUBLIC OF, GUATEMALA, HUNGARY, INDIA, IRAQ, ITALY, KENYA, PERU, the PHILIPPINES, SENEGAL, SIERRA LEONE, SPAIN, TRINIDAD AND TOBAGO, UGANDA, the UNITED STATES OF AMERICA and YUGOSLAVIA.

As a result, the United Nations Commission on International Trade Law is composed of the following States: ALGERIA,* ARGENTINA,** AUSTRALIA,* AUSTRIA,* BRAZIL,* CENTRAL AFRICAN REPUBLIC,* CHILE,** CHINA,* CUBA,** CYPRUS,** CZECHOSLOVAKIA,** EGYPT,* FRANCE,* GERMAN DEMOCRATIC REPUBLIC,* HUNGARY,** INDIA,** IRAN (ISLAMIC REPUBLIC OF),** IRAQ,** ITALY,** JAPAN,* KENYA,** LESOTHO,** LIBYAN ARAB JAMAHIRIYA,** MEXICO,* NETHERLANDS,** NIGERIA,* SIERRA LEONE,** SINGAPORE,* SPAIN,** SWEDEN,* UNION OF SOVIET SOCIALIST REPUBLICS,* UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,* UNITED REPUBLIC OF TANZANIA,* UNITED STATES OF AMERICA,** URUGUAY** and YUGOSLAVIA.**

* Term of office expires on the last day prior to the beginning of the twenty-second session of the Commission, in 1989.

** Term of office expires on the last day prior to the beginning of the twenty-fifth session of the Commission, in 1992.

40/314. Appointment of three members of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations¹²

At its 112th plenary meeting, on 11 December 1985, the General Assembly confirmed the appointment by its President of ARGENTINA, BRAZIL and CHILE members of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations, with effect from 1 January 1986, to fill the vacancies caused by the withdrawal of CUBA, ECUADOR and MEXICO.¹³

As a result, the Special Committee is composed of the following Member States: ARGENTINA, BELGIUM, BENIN, BRAZIL, BULGARIA, CHILE, CYPRUS, EGYPT, FINLAND, FRANCE, GERMANY, FEDERAL REPUBLIC OF, GREECE, GUINEA, HUNGARY, INDIA, IRAQ, ITALY, JAPAN, MONGOLIA, MOROCCO, NEPAL, NICARAGUA, PANAMA, PERU, POLAND, ROMANIA, SENEGAL, SOMALIA, SPAIN, TOGO, TURKEY, UGANDA, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and UNITED STATES OF AMERICA.

40/315. Appointment of a member of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries¹⁴

At its 112th plenary meeting, on 11 December 1985, the General Assembly confirmed the appointment by its President of BENIN as a member of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries, with effect from 1 January 1986, to fill the vacancy caused by the withdrawal of TOGO.¹⁵

As a result, the *Ad Hoc* Committee is composed of the following Member States: ALGERIA, ANGOLA, BANGLADESH, BARBADOS, BENIN, BULGARIA, CANADA, CUBA, DEMOCRATIC YEMEN, ETHIOPIA, FRANCE, GERMAN DEMOCRATIC REPUBLIC, GERMANY, FEDERAL REPUBLIC OF, HAITI, INDIA, ITALY, JAMAICA, JAPAN, MONGOLIA, NIGERIA, PORTUGAL, SENEGAL, SEYCHELLES, SPAIN, SURINAME, TURKEY, UKRAINIAN SOVIET SOCIALIST REPUBLIC, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA, URUGUAY, VIET NAM, YUGOSLAVIA, ZAIRE and ZAMBIA.

40/316. Election of nineteen members of the Governing Council of the United Nations Environment Programme

At its 120th and 123rd plenary meetings, on 17 December 1985 and 28 April 1986, the General Assembly, in accordance with section I, paragraph 1, of its resolution 2997

¹² See also sect. IX, resolution 40/70.

¹³ See A/40/1020.

¹⁴ See also sect. IX, resolution 40/74.

¹⁵ See A/40/918.

(XXVII) of 15 December 1972, elected ARGENTINA, AUSTRALIA, BARBADOS, CHILE, CHINA, the CONGO, CZECHOSLOVAKIA, DENMARK, FRANCE, INDONESIA, the NETHERLANDS, NIGERIA, PAPUA NEW GUINEA, SWAZILAND, the SYRIAN ARAB REPUBLIC, THAILAND, UGANDA, YUGOSLAVIA and ZAMBIA members of the Governing Council of the United Nations Environment Programme for a three-year term of office beginning on 1 January 1986 to fill the vacancies occurring on the expiration of the terms of office of ARGENTINA, AUSTRALIA, CAMEROON, CHILE, CHINA, CÔTE D'IVOIRE, FINLAND, FRANCE, HUNGARY, INDONESIA, ITALY, LESOTHO, NIGERIA, PAPUA NEW GUINEA, PERU, the PHILIPPINES, SAUDI ARABIA, UGANDA and YUGOSLAVIA.

As a result, the Governing Council of the United Nations Environment Programme is composed of the following Member States: ALGERIA,* ARGENTINA,*** AUSTRALIA,*** AUSTRIA,* BARBADOS,*** BELGIUM,* BOTSWANA,** BRAZIL,* BULGARIA,** CANADA,** CHILE,*** CHINA,*** COLOMBIA,** CONGO,*** CZECHOSLOVAKIA,*** DENMARK,*** FRANCE,*** GERMANY, FEDERAL REPUBLIC OF,* GHANA,** HAITI,* INDIA,** INDONESIA,*** JAMAICA,** JAPAN,* JORDAN,** KENYA,** KUWAIT,* LIBYAN ARAB JAMAHIRIYA,** MALAYSIA,* MALTA,** MEXICO,** NEPAL,* NETHERLANDS,*** NIGER,** NIGERIA,*** NORWAY,* OMAN,** PANAMA,** PAPUA NEW GUINEA,*** POLAND,** RWANDA,* SRI LANKA,** SUDAN,* SWAZILAND,*** SYRIAN ARAB REPUBLIC,*** THAILAND,*** TOGO,* TUNISIA,** TURKEY,** UGANDA,*** UKRAINIAN SOVIET SOCIALIST REPUBLIC,* UNION OF SOVIET SOCIALIST REPUBLICS,* UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,** UNITED STATES OF AMERICA,* VENEZUELA,* YUGOSLAVIA,*** ZAIRE* and ZAMBIA.***

* Term of office expires on 31 December 1986.

** Term of office expires on 31 December 1987.

*** Term of office expires on 31 December 1988.

40/317. Appointment of the United Nations Commissioner for Namibia

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the proposal of the Secretary-General,¹⁶ extended the appointment of Mr. Brajesh Chandra MISHRA as United Nations Commissioner for Namibia for a one-year term of office beginning on 1 January 1986.

40/318. Appointment of members of the Committee on Contributions

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁷ appointed the following persons as members of the Committee on Contributions:

(a) For a three-year term of office beginning on 1 January 1986:

Mr. Andrzej Abraszewski,
Mr. John Fox,
Mr. Elias M. C. Kazembe,
Mr. Yasuo Noguchi,
Mr. Adnan Yonis,
Mr. Assen Iliev Zlatanov;

(b) For a one-year term of office beginning on 1 January 1986:

Mr. Gilberto Vergne Saboia.

As a result, the Committee on Contributions is composed as follows: Mr. Andrzej ABRASZEWSKI (*Poland*),*** Mr. Amjad ALI (*Pakistan*),** Mr. Ernesto BATTISTI (*Italy*),** Mr. Javier CASTILLO AYALA (*Mexico*),** Mr. Anatoly Semënovich CHISTYAKOV (*Union of Soviet Socialist Republics*),** Mr. Leoncio FERNÁNDEZ MAROTO (*Spain*),* Mr. John FOX (*United States of America*),*** Mr. Lance L. E. JOSEPH (*Australia*),* Mr. Elias M. C. KAZEMBE (*Zambia*),*** Mr. Atilio Norberto MOLteni (*Argentina*),* Mr. Yasuo NOGUCHI (*Japan*),*** Mr. Aluseye D. ODUYEMI (*Nigeria*),* Mr. Omar SIRRY (*Egypt*),* Mr. Dominique SOUCHET (*France*),** Mr. Gilberto VERGNE SABOIA (*Brazil*),* Mr. WANG LIANSHENG (*China*),** Mr. Adnan YONIS (*Iraq*)*** and Mr. Assen Iliev ZLATANOV (*Bulgaria*).***

* Term of office expires on 31 December 1986.

** Term of office expires on 31 December 1987.

*** Term of office expires on 31 December 1988.

¹⁶ A/40/1055, para. 2.

¹⁷ Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 17, document A/40/1044, para. 6.

40/319. Appointment of a member of the Board of Auditors

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁸ appointed the Senior President of the Audit Office of FRANCE as a member of the Board of Auditors for a three-year term of office beginning on 1 July 1986.

As a result, the Board of Auditors is composed as follows: Senior President of the Audit Office of FRANCE,^{***} Auditor-General of GHANA^{**} and Chairman of the Commission of Audit of the PHILIPPINES.*

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- * Term of office expires on 30 June 1987.
 - ** Term of office expires on 30 June 1988.
 - *** Term of office expires on 30 June 1989.

40/320. Confirmation of the appointment of members of the Investments Committee

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁹ confirmed the appointment by the Secretary-General of the following persons as members of the Investments Committee for a three-year term of office beginning on 1 January 1986:

Mr. Aloysio de Andrade Faria,
Mr. Braj Kumar Nehru,
Mr. Stanislaw Raczkowski.

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 OMABOE (Ghana)* and Mr. Stanislaw RACZKOWSKI (Poland).^{***}

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- * Term of office expires on 31 December 1986.
 - ** Term of office expires on 31 December 1987.
 - *** Term of office expires on 31 December 1988.

40/321. Appointment of members of the United Nations Administrative Tribunal

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,²⁰ appointed the following persons as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 1986:

Mr. Roger Pinto,
Mr. Ahmed Osman,
Mr. Samarendranath Sen.

As a result, the United Nations Administrative Tribunal is composed as follows: Mr. Samarendranath SEN (India),^{***} President, Mr. Arnold Wilfred Geoffrey KEAN (United Kingdom of Great Britain and Northern Ireland),* Vice-President, Mr. Herbert REIS (United States of America),* Mr. Luis María DE POSADAS MONTERO (Uruguay),^{**} Mr. Endre USTOR (Hungary),^{**} Mr. Ahmed OSMAN (Egypt)^{***} and Mr. Roger PINTO (France).^{***}

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- * Term of office expires on 31 December 1986.
 - ** Term of office expires on 31 December 1987.
 - *** Term of office expires on 31 December 1988.

40/322. Appointment of members of the International Civil Service Commission

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,²¹ appointed the following persons as members of the International Civil Service Commission:

- (a) For a one-year term of office beginning on 1 January 1986:
- Mrs. Turkia Daddah,
Mr. Karel Houska,
Mr. André Xavier Pirson;

¹⁸ *Ibid.*, document A/40/1045, para. 5.
¹⁹ *Ibid.*, document A/40/1046, para. 4.
²⁰ *Ibid.*, document A/40/1047, para. 5.
²¹ *Ibid.*, document A/40/1048, para. 10.

(b) For a four-year term of office beginning on 1 January 1986:

Mr. Genichi Akatani,
Mr. Michel Auchère,
Mrs. Claudia Cooley,
Mr. Antônio Fonseca Pimentel,
Mr. Alexis Stephanou.

As a result, the International Civil Service Commission is composed as follows: Mr. Richard M. AKWEI (*Ghana*),* Chairman, Mr. Carlos S. VEGEGA (*Argentina*),* Vice-Chairman, Mr. Genichi AKATANI (*Japan*),*** Mr. Amjad ALI (*Pakistan*),** Mr. Michael O. ANI (*Nigeria*),** Mr. Michel AUCHÈRE (*France*),*** Mrs. Claudia COOLEY (*United States of America*),*** Mrs. Turkia DADDAH (*Mauritania*),* Mr. Karel HOUSKA (*Czechoslovakia*),* Mr. Antônio Fonseca PIMENTEL (*Brazil*),*** Mr. André Xavier PIRSON (*Belgium*),* Mr. Omar SIRRY (*Egypt*),** Mr. Alexis STEPHANOU (*Greece*),*** Mr. Valery Vasilyevich TSYBUKOV (*Union of Soviet Socialist Republics*)** and Mr. M. A. VELLODI (*India*).**

* Term of office expires on 31 December 1986.

** Term of office expires on 31 December 1988.

*** Term of office expires on 31 December 1989.

40/323. Appointment of members and alternate members of the United Nations Staff Pension Committee

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee:²²

(a) Appointed the following persons as members of the United Nations Staff Pension Committee for a three-year term of office beginning on 1 January 1986:

Mr. Sol Kuttner,
Mr. Mario Majoli,
Mr. Michael G. Okeyo;

(b) Appointed the following persons as alternate members of the United Nations Staff Pension Committee for a three-year term of office beginning on 1 January 1986:

Mr. Jobst Holborn,
Mr. Miguel A. Ortega,
Mr. Yukio Takasu.

As a result, the members and alternate members elected by the General Assembly to the United Nations Staff Pension Committee, whose terms of office expire on 31 December 1988, are the following:

Members

Mr. Sol KUTTNER (*United States of America*),
Mr. Mario MAJOLI (*Italy*),
Mr. Michael G. OKEYO (*Kenya*).

Alternate members

Mr. Jobst HOLBORN (*Federal Republic of Germany*),
Mr. Miguel A. ORTEGA (*Mexico*),
Mr. Yukio TAKASU (*Japan*).

40/324. Appointment of the members of the Consultative Committee on the United Nations Development Fund for Women

At its 122nd and 123rd plenary meetings, on 18 December 1985 and 28 April 1986, the General Assembly took note of the appointment by its President of the following Member States as members of the Consultative Committee on the United Nations Development Fund for Women for a three-year term beginning on 1 January 1986: COLOMBIA, GERMAN DEMOCRATIC REPUBLIC, INDIA, KENYA and NORWAY.

As a result, the Consultative Committee on the United Nations Development Fund for Women is composed of the following Member States: COLOMBIA, GERMAN DEMOCRATIC REPUBLIC, INDIA, KENYA and NORWAY.

40/325. Confirmation of the appointment of the Administrator of the United Nations Development Programme

At its 123rd plenary meeting, on 28 April 1986, the General Assembly confirmed the appointment by the Secretary-General²³ of Mr. William H. DRAPER III as Administrator of the United Nations Development Programme for a term of office beginning on 1 May 1986 and ending on 31 December 1989.

²² *Ibid.*, document A/40/1049, para. 5.

²³ *Ibid.*, document A/40/246, para. 4.

B. OTHER DECISIONS

1. Decisions adopted without reference to a Main Committee

40/401. Organization of the fortieth session

At its 3rd and 53rd plenary meetings, on 20 September and 29 October 1985, the General Assembly, on the recommendations of the General Committee as set forth in its first²⁴ and third²⁵ reports, adopted a number of provisions concerning the organization of the fortieth session.

40/402. Adoption of the agenda and allocation of agenda items

At its 3rd, 5th, 53rd, 78th, 123rd and 124th plenary meetings, on 20 and 23 September, 29 October and 15 November 1985 and on 28 April 1986, the General Assembly, on the recommendations of the General Committee as set forth in its first,²⁶ second,²⁷ third,²⁸ fourth,²⁹ and fifth³⁰ reports and on the proposal of the Secretary-General,³¹ adopted the agenda³² and the allocation of agenda items³³ for the fortieth session.

At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee,³⁴ decided to include in the provisional agenda of its forty-first session the item entitled "Question of East Timor".

40/403. Meetings of subsidiary organs during the fortieth session

At its 3rd and 96th plenary meetings, on 20 September and 29 November 1985, the General Assembly, on the recommendations of the Committee on Conferences³⁵ and of the General Committee,³⁶ decided that the following subsidiary organs should be authorized to hold meetings during the fortieth 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 of Trustees of the United Nations Fund for South Africa;
- (d) Committee on Relations with the Host Country;
- (e) Committee on the Exercise of the Inalienable Rights of the Palestinian People;
- (f) Committee on the Review and Appraisal of the Implementation of the International Development Strategy for the Third United Nations Development Decade;
- (g) Special Committee against *Apartheid*;
- (h) Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories;
- (i) United Nations Council for Namibia;
- (j) Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

40/404. Commemoration of the fortieth anniversary of the United Nations

At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendations of the Preparatory Committee for the Fortieth Anniversary of the United Nations,³⁷ decided that:

(a) All statements made by Heads of State or Government and special envoys during the entire fortieth session of the General Assembly in 1985 should be considered part of the commemoration;

(b) The general debate should be held as usual for a three-week period, from 23 September to 11 October, on the clear and explicit understanding that statements made by Heads of State or Government and special envoys during that period would also be considered part of the commemoration;

(c) Between the conclusion of the general debate and the commemorative ceremony, to be held on 24 October, Heads of State or Government and special envoys might address the General Assembly in connection with the fortieth anniversary celebration;

(d) The culmination of this period should be on 24 October, with a solemn ceremony to hear statements by the Secretary-General and the President of the General Assembly and to adopt a final declaration by consensus;

(e) During the commemorative proceedings between 14 and 24 October, Heads of State or Government should be seated in the General Assembly Hall and escorted to the podium from the floor and, following the practice already approved by the Assembly, delegations should refrain from expressing their congratulations in the Assembly Hall after a speech had been delivered; to this end, Heads of State or Government should be advised of such arrangements and the President of the General Assembly should be requested to draw the attention of representatives to those arrangements;

(f) Delegations should be informed that the number of speakers per day on 21, 22 and 23 October could not exceed twenty-one during regular morning and afternoon meetings, that this number could only be accommodated on the assumption that statements did not exceed fifteen minutes and that any additional speakers on those days would have to be heard at an extended afternoon meeting or at a night meeting;

(g) Heads of State or Government should be advised of the arrangements referred to in subparagraph (f) above and the President of the General Assembly should be requested to draw the attention of representatives to those arrangements;

(h) A compendium of the statements delivered by or received from Heads of State or Government with duly accredited delegations and the statements made by their special envoys should be issued as a United Nations publi-

p. v. A numerical listing of agenda items also appears as annex III to the present volume.

³³ For the final text of the allocation of agenda items (A/40/252 and Add.1-4), see sect. I.

³⁴ *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 8, document A/40/250, para. 27.

³⁵ See A/40/663 and A/40/940.

³⁶ *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 8, document A/40/250, para. 22.

³⁷ *Ibid.*, *Fortieth Session, Supplement No. 49* (A/40/49), para. 27.

²⁴ *Ibid.*, agenda item 8, document A/40/250, paras. 2-23.

²⁵ *Ibid.*, document A/40/250/Add.2, para. 3.

²⁶ *Ibid.*, document A/40/250, paras. 24-32.

²⁷ *Ibid.*, document A/40/250/Add.1, para. 2.

²⁸ *Ibid.*, document A/40/250/Add.2, para. 2.

²⁹ *Ibid.*, document A/40/250/Add.3, para. 2.

³⁰ *Ibid.*, document A/40/250/Add.4, para. 2.

³¹ *Ibid.*, agenda item 17, document A/40/246, para. 5.

³² For the final text of the agenda (A/40/251 and Add.1-4), see *Official Records of the General Assembly, Fortieth Session, Plenary Meetings*, vol. I,

cation as part of the commemoration of the fortieth anniversary of the United Nations;

(i) Member States might consider including in their delegations to the fortieth session of the General Assembly those dignitaries who were actively involved in the work of the United Nations, particularly those who had signed the Charter of the United Nations and/or former Presidents of the Assembly.

40/406. Report of the International Court of Justice

At its 50th plenary meeting, on 25 October 1985, the General Assembly took note of the report of the International Court of Justice.³⁸

40/408. Question of peace, stability and co-operation in South-East Asia

At its 65th plenary meeting, on 6 November 1985, the General Assembly decided to include in the provisional agenda of its forty-first session the item entitled "Question of peace, stability and co-operation in South-East Asia".

40/416. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations

At its 109th plenary meeting, on 9 December 1985, the General Assembly took note of the note by the Secretary-General.³⁹

40/417. Report of the Secretary-General on the work of the Organization

At its 109th plenary meeting, on 9 December 1985, the General Assembly took note of the report of the Secretary-General on the work of the Organization.⁴⁰

40/418. Report of the Security Council

At its 109th plenary meeting, on 9 December 1985, the General Assembly took note of the report of the Security Council.⁴¹

40/458. Report of the Economic and Social Council

At its 122nd plenary meeting, on 18 December 1985, the General Assembly took note of chapters I, II, III (sects. F and H), VI (sect. E), VIII and IX (sects. A and B) of the report of the Economic and Social Council.⁴²

40/459. Launching of global negotiations on international economic co-operation for development

At its 122nd plenary meeting, on 18 December 1985, 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.

40/460. Question of equitable representation on and increase in the membership of the Security Council

At its 122nd plenary meeting, on 18 December 1985, the General Assembly decided to include in the provisional agenda of its forty-first session the item entitled "Question of equitable representation on and increase in the membership of the Security Council".

40/461. Celebration of the one-hundred-and-fiftieth anniversary of the emancipation of slaves in the British Empire

At its 122nd plenary meeting, on 18 December 1985, the General Assembly decided to include in the provisional agenda of its forty-first session the item entitled "Celebration of the one-hundred-and-fiftieth anniversary of the emancipation of slaves in the British Empire".

40/470. Suspension of the fortieth session

At its 122nd plenary meeting, on 18 December 1985, the General Assembly decided to resume its fortieth session, at a date to be announced, for the sole purpose of considering the following agenda items:

Item 16 (a): Election of two members of the Governing Council of the United Nations Environment Programme;

Item 17 (h): Appointment of members of the Consultative Committee on the United Nations Development Fund for Women;

Item 17 (l): 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;

Item 21: The situation in Central America: threats to international peace and security and peace initiatives;

Item 41: Launching of global negotiations on international economic co-operation for development;

Item 43: Observance of the quincentenary of the discovery of America;

Item 44: Question of Cyprus;

Item 45: Implementation of the resolutions of the United Nations;

Item 46: Consequences of the prolongation of the armed conflict between Iran and Iraq;

Item 84 and 84 (c): Development and international economic co-operation; trade and development;

Item 116: Proposed programme budget for the biennium 1986-1987;

Item 123: Personnel questions.

40/472. Current financial crisis of the United Nations

At its 132nd plenary meeting, on 9 May 1986, the General Assembly, on the basis of the statement made by its President,⁴³ decided that the Secretary-General should proceed according to the proposals made in his report,⁴⁴ taking into account the report of the Fifth Committee⁴⁵ and with due regard to the following:

(a) The proposal of the Secretary-General that the forty-first session of the General Assembly be curtailed by three weeks would be considered by the Assembly itself, at that session, in the light of the financial situation then prevailing; as regards the curtailment of the sessions of the Economic and Social Council and the Trusteeship Council, those organs would take the decisions that were most appropriate in organizing their work this year;

(b) With regard to the special session on Namibia, the General Assembly, after opening its forty-first session on Tuesday, 16 September 1986, would adjourn until the following Monday, and the special session would be held in that period, including Saturday;

³⁸ *Ibid.*, Supplement No. 4 (A/40/4).

³⁹ *Ibid.*, Fortieth Session, Annexes, agenda item 7, document A/40/642.

⁴⁰ *Ibid.*, Fortieth Session, Supplement No. 1 (A/40/1).

⁴¹ *Ibid.*, Supplement No. 2 (A/40/2).

⁴² *Ibid.*, Supplement No. 3 (A/40/3/Rev.1).

⁴³ *Ibid.*, Fortieth Session, Plenary Meetings, 132nd meeting.

⁴⁴ A/40/1102 and Corr.1-3, Add.1 and Add.1/Corr.1, Add.2 and Add.2/Corr.1 and Add.3 and 4.

⁴⁵ Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 150, document A/40/1111.

(c) The Secretary-General would review the other items in his report in the light of the evolving financial situation and would report to the General Assembly at its forty-first session; it was understood that no project or programme for which there was a legislative mandate would be eliminated if adequate financial resources were available.

40/473. International Conference on the Relationship between Disarmament and Development

At its 133rd plenary meeting, on 20 June 1986, the General Assembly, on the recommendation of the Preparatory

Committee for the International Conference on the Relationship between Disarmament and Development,⁴⁶ decided to postpone the Conference until 1987.

40/478. Periodicity of the sessions of the Commission on Transnational Corporations

At its 133rd plenary meeting, on 20 June 1986, the General Assembly, further to Economic and Social Council decision 1986/117 of 1 May 1986, decided to take a decision at its forty-first session on the question of the periodicity of the sessions of the Commission on Transnational Corporations under the appropriate agenda item in order to benefit from the views of the Second Committee.

⁴⁶ See A/40/1131, annex.

2. Decisions adopted on the reports of the First Committee

40/424. International co-operation in the peaceful exploitation of outer space under conditions of its non-militarization

At its 113th plenary meeting, on 12 December 1985, the General Assembly took note of the report of the First Committee.⁴⁷

40/428. Advisory Board on Disarmament Studies

At its 117th plenary meeting, on 16 December 1985, the General Assembly, on the recommendation of the First Committee:⁴⁸

(a) Decided that, in order to give timely consideration to the recommendations of the Advisory Committee on Administrative and Budgetary Questions regarding the proposed annual budget of the United Nations Institute for Disarmament Research,⁴⁹ the Advisory Board on Disarmament Studies should be authorized to hold its second session of 1986 during the early weeks of the forty-first session of the Assembly, in the light of the request of the Advisory Board contained in paragraph 38 of the report of the Secretary-General;⁵⁰

(b) Requested the Committee on Conferences at its 1986 substantive session to consider the pattern of future meetings of the Advisory Board on Disarmament Studies.

3. Decisions adopted on the reports of the Special Political Committee

40/407. Policies of apartheid of the Government of South Africa

At its 51st plenary meeting, on 28 October 1985, the General Assembly took note of the report of the Special Political Committee.⁵¹

40/429. Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India

At its 118th plenary meeting, on 16 December 1985, the General Assembly, on the recommendation of the Special Political Committee,⁵² decided to include in the provisional agenda of its forty-first session the item entitled "Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India".

40/430. Question of the composition of the relevant organs of the United Nations

At its 118th plenary meeting, on 16 December 1985, the General Assembly, on the recommendation of the Special Political Committee,⁵³ decided to include in the provisional agenda of its forty-first session the item entitled "Question of the composition of the relevant organs of the United Nations".

⁴⁷ *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 145, document A/40/965.

⁴⁸ *Ibid.*, agenda item 65, document A/40/877/Add.1, para. 60.

⁴⁹ *Ibid.*, *Fortieth Session, Supplement No. 7A (A/40/7/Add.1-18)*, document A/40/7/Add.9.

⁵⁰ A/40/744.

⁵¹ *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 35, document A/40/805.

⁵² *Ibid.*, agenda item 82, document A/40/992, para. 4.

⁵³ *Ibid.*, agenda item 83, document A/40/809, para. 5.

4. Decisions adopted on the reports of the Second Committee

40/431. Report of the Economic and Social Council

At its 119th plenary meeting, on 17 December 1985, the General Assembly, having considered part I of the report of the Second Committee,⁵⁴ took note of chapters I, II, III (sects. E to G, J and K), IV, VI, VIII and IX (sects. A, B, D and G to K) of the report of the Economic and Social Council.⁴²

40/432. Israeli economic practices in the occupied Palestinian and other Arab territories

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee:⁵⁵

(a) Took note, with concern, of the report of the Secretary-General prepared in pursuance of Assembly decision 39/442;⁵⁶

(b) Requested the Secretary-General to prepare a report on the financial and trade practices of the Israeli occupation authorities in the occupied Palestinian and other Arab territories;

(c) Invited the Secretary-General to utilize the services of competent United Nations bodies in preparing the report;

(d) Requested the Secretary-General to submit the report to the General Assembly at its forty-first session, through the Economic and Social Council.

40/433. Report of the Panel of Eminent Persons established to conduct the public hearings on the activities of transnational corporations in South Africa and Namibia

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁵⁵ took note of the report of the Panel of Eminent Persons established to conduct the public hearings on the activities of transnational corporations in South Africa and Namibia⁵⁷ and further noted that the Commission on Transnational Corporations at its twelfth session and the Economic and Social Council in 1986 would give in-depth consideration to the recommendations contained in the report and propose appropriate action.

40/434. Mobilization of financial resources for industrial development

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁵⁸ decided to defer until its forty-first session consideration of the draft resolution entitled "Mobilization of financial resources for industrial development".⁵⁹

40/435. Documents relating to the report of the Economic and Social Council

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁵⁸ took note of the following documents:

(a) Report of the Secretary-General on the critical situation of food and agriculture in Africa 1984-1985;⁶⁰

(b) Report of the Secretary-General on the Transport and Communications Decade in Africa,⁶¹ prepared in pursuance of Assembly resolution 32/160;

(c) Note by the Secretary-General on the implementation of the programme for the Industrial Development Decade for Africa;⁶²

(d) Report of the Joint Inspection Unit on the Transport and Communications Decade in Africa,⁶³ and the comments of the Secretary-General thereon;⁶⁴

(e) Report of the Secretary-General on the Transport and Communications Decade in Africa,⁶⁵ prepared in pursuance of Assembly resolution 39/230.

40/436. Biennial programme of work for the Second Committee for 1986-1987

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee⁵⁸ and in accordance with paragraph 5 of its resolution 39/217 of 18 December 1984, approved the biennial programme of work for the Second Committee, annexed hereto, subject to the decisions to be adopted by the Second Committee, at the resumed fortieth session, on unfinished work under item 84, "Development and international economic co-operation".⁶⁶

ANNEX

Biennial programme of work for the Second Committee for 1986-1987⁶⁷

1986

Item 1. Report of the Economic and Social Council^{68,69}

(a) Co-ordination in the United Nations and the United Nations system

Documentation Progress report of the Secretary-General on co-ordination in the United Nations and the United Nations system (General Assembly resolution 40/177 of 17 December 1985)⁷⁰

(b) Population and development

Documentation Report of the Secretary-General on action taken on the recommendations of the International Conference on Population for the further implementation of the World Population Plan of Action (General Assembly resolution 39/228 of 18 December 1984)⁷⁰

⁶⁸ The list of questions and documentation under this item is only indicative of requests for reports from the General Assembly. The list will be finalized only after the Economic and Social Council completes its work each year. Under this item the Second Committee will also have before it the reports of the Intergovernmental Committee on Science and Technology for Development and the Commission on Human Settlements. The Second Committee may wish to decide not to consider draft proposals on these reports, except specific recommendations requiring action by the Assembly contained in the reports of these bodies or in the report of the Council.

⁶⁹ The attention of the Second Committee is drawn to Council decision 1985/101 of 8 February 1985, para. 6, whereby the Council decided to review at its organizational session for 1986, in the light of General Assembly resolution 39/217, the periodicity of the annual reports submitted by the Secretariat to the Assembly through the Council, other than those referred to in para. 4 (g) of that decision.

⁷⁰ Report submitted to the General Assembly through the Economic and Social Council.

⁵⁴ *Ibid.*, agenda item 12, document A/40/1009.

⁵⁵ *Ibid.*, document A/40/1009/Add.1, para. 38.

⁵⁶ A/40/381-E/1985/105.

⁵⁷ E/C.10/1986/9, annex.

⁵⁸ *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 12, document A/40/1009/Add.2, para. 29.

⁵⁹ *Ibid.*, para. 5.

⁶⁰ A/40/329.

⁶¹ A/40/409.

⁶² A/40/420 and Corr.1.

⁶³ A/40/633.

⁶⁴ A/40/633/Add.1.

⁶⁵ A/40/735.

⁶⁶ See decisions 40/474 to 40/477.

⁶⁷ The Second Committee will, in accordance with established practice and in pursuance of General Assembly decision 38/429, hold a general debate each year at the beginning of its work.

- (c) *Transport and Communications Decade in Africa*
Documentation Report of the Secretary-General on the Transport and Communications Decade in Africa (General Assembly resolution 32/160 of 19 December 1977)⁷⁰
- (d) *Transport and Communications Decade for Asia and the Pacific, 1985-1994*
Documentation Relevant section of the report of the Economic and Social Council (General Assembly resolution 39/227 of 18 December 1984)
- (e) *Confidence-building in international economic relations*
Documentation Report of the Secretary-General on confidence-building in international economic relations (General Assembly resolution 39/226 of 18 December 1984)⁷⁰
- (f) *Protection against products harmful to health and the environment*
Documentation Report of the Secretary-General on protection against products harmful to health and the environment (General Assembly resolution 39/229 of 18 December 1984)
 Report of the Secretary-General on the implementation of General Assembly resolutions 37/137, 38/149 and 39/229⁷⁰
- (g) *Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories*
Documentation Report of the Secretary-General on the financial and trade practices of the Israeli occupation authorities in the occupied Palestinian and other Arab territories (Economic and Social Council decision 1985/177 of 25 July 1985 and General Assembly decision 40/432 of 17 December 1985)⁷⁰
- (h) *Assistance to the Palestinian people*
Documentation Report of the Secretary-General on assistance to the Palestinian people (Economic and Social Council resolution 1985/57 of 25 July 1985 and General Assembly resolution 40/170 of 17 December 1985)⁷⁰
 Report of the Secretary-General on economic development projects in the occupied Palestinian territories (Economic and Social Council resolution 1985/58 of 25 June 1985 and General Assembly resolution 40/169 of 17 December 1985)⁷⁰
- (i) *Living conditions of the Palestinian people in the occupied Palestinian territories*
Documentation Report of the Secretary-General on the preparations for the seminar on priority development projects needed for improving the living conditions of the Palestinian people in the occupied Palestinian territories (General Assembly resolution 40/201 of 17 December 1985)⁷⁰
- (j) *Countries stricken by desertification and drought*⁷¹
Documentation Report of the Secretary-General on countries stricken by desertification and drought (Economic and Social Council decision 1985/176 of 25 July 1985 and General Assembly resolution 40/175 of 17 December 1985)⁷⁰
- (k) *International Year of Shelter for the Homeless*
Documentation Relevant chapter of the report of the Economic and Social Council (General Assembly resolution 40/203 of 17 December 1985)
- (l) *Co-operation between the United Nations and the Agency for Cultural and Technical Co-operation*
Documentation Report of the Secretary-General on co-operation between the United Nations and the Agency for Cultural and Technical Co-operation (General Assembly resolution 40/174 of 17 December 1985)⁷⁰
- Item 2. Development and international economic co-operation**
- (a) *Trade and development*
Documentation Report of the Trade and Development Board (General Assembly resolution 1995 (XIX) of 30 December 1964)⁷⁰
 Report of the Secretary-General of the United Nations Conference on Trade and Development on the United Nations Conference on Conditions for Registration of Ships (General Assembly resolution 40/187 of 17 December 1985)
 Report of the Secretary-General of the United Nations Conference on Trade and Development on the international code of conduct on the transfer of technology (General Assembly resolution 40/184 of 17 December 1985)
 Report of the Secretary-General on economic measures as a means of political and economic coercion against developing countries (General Assembly resolution 40/185 of 17 December 1985)
 Report of the Secretary-General on the implementation of the resolution on trade embargo against Nicaragua (General Assembly resolution 40/188 of 17 December 1985)
 Report of the Secretary-General on special measures in favour of island developing countries (General Assembly resolution 39/212 of 18 December 1984)
 Report of the Secretary-General on the particular problems facing Zaire with regard to transport, transit and access to foreign markets (General Assembly resolution 40/190 of 17 December 1985)
 Report of the Secretary-General on preferential trade area for Eastern and Southern African States (General Assembly resolution 40/186 of 17 December 1985)
 Draft resolution entitled "Protectionism and structural adjustment" (see General Assembly decision 40/439 of 17 December 1985)
 Report of the Secretary-General of the United Nations Conference on Trade and Development on the outcome of consultations on the reconvening of the United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (General Assembly resolution 40/192 of 17 December 1985)
- (b) *Food problems*
Documentation Report of the World Food Council⁷⁰
 Report of the Secretary-General on the question of an international year for the mobilization of financial and technological resources to increase food and agricultural production in Africa (Economic and Social Council decision 1985/199 of 26 July 1985)⁷⁰
- (c) *New and renewable sources of energy*
Documentation Report of the Committee on the Development and Utilization of New and Renewable Sources of Energy (General Assembly resolution 37/250 of 21 December 1982)⁷⁰
- (d) *Development of the energy resources of developing countries*
Documentation Report of the Secretary-General on the development of the energy resources of developing countries (General Assembly resolution 40/208 of 17 December 1985)⁷⁰
- Item 3. Operational activities for development**
- (a) *Operational activities of the United Nations system*
Documentation Report of the Director-General for Development and International Economic Co-operation on a comprehensive policy review of the operational

⁷¹ The question is included in the programme of work for 1986, exceptionally, in the light of the request of the General Assembly concerning the final report of the Secretary-General on the implementation of resolution 39/208.

activities of the United Nations system (General Assembly resolution 35/81 of 5 December 1980)⁷⁰

Reports submitted by the bodies, organs and organizations of the United Nations system (General Assembly resolution 40/211 of 17 December 1985)⁷⁰

- (b) *United Nations Development Programme*
Documentation Report of the Governing Council of the United Nations Development Programme⁷⁰
- (c) *United Nations Fund for Population Activities*
Documentation Relevant chapters of the report of the Governing Council of the United Nations Development Programme
Note by the Secretary-General transmitting the report of the Executive Director of the United Nations Fund for Population Activities on the United Nations Population Award and Trust Fund
- (d) *United Nations Children's Fund*
Documentation Relevant chapter of the report of the Economic and Social Council
- (e) *World Food Programme*
Documentation Relevant chapter of the report of the Economic and Social Council

Item 4. Training and research

- (a) *United Nations Institute for Training and Research*
Documentation Report of the Executive Director of the United Nations Institute for Training and Research
Report of the Secretary-General on the long-term financing and future of the Institute (General Assembly resolution 40/214 of 17 December 1985)
- (b) *United Nations University*
Documentation Report of the Council of the United Nations University⁷⁰
- (c) *Unified approach to development analysis and planning*
Documentation Report of the Secretary-General on a unified approach to development analysis and planning (General Assembly resolutions 38/179 of 19 December 1983 and 39/217 of 18 December 1984)⁷⁰

Item 5. Special economic and disaster relief assistance

- (a) *Office of the United Nations Disaster Relief Co-ordinator*
Documentation Report of the Secretary-General on the Office of the United Nations Disaster Relief Co-ordinator⁷⁰
- (b) *Special programmes of economic assistance*
Documentation Report of the Secretary-General on special programmes of economic assistance (General Assembly resolution 40/236 of 17 December 1985)⁷⁰
Reports of the Secretary-General on individual countries
Report of the Secretary-General presenting summary reports on countries with no separate individual reports in that year
- (c) *Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region*
Documentation Report of the Secretary-General on the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region (General Assembly resolutions 3054 (XXVIII) of 17 October 1973 and 39/217)⁷⁰

1987⁷²

Item 1. Report of the Economic and Social Council⁷³

- (a) *International economic security*
Documentation Report of the Secretary-General on a concept of international economic security (General Assembly resolution 40/173 of 17 December 1985)⁷⁰
- (b) *Co-ordination in the United Nations and the United Nations system*
Documentation Report of the Secretary-General on co-ordination in the United Nations and the United Nations system (General Assembly resolution 40/177 of 17 December 1985)⁷⁰
- (c) *Target for World Food Programme pledges for the period 1989-1990*
Documentation Relevant chapter of the report of the Economic and Social Council
- (d) *World population situation*
Documentation Report of the Secretary-General on the summary and conclusions of the biennial report on the world population situation (Economic and Social Council resolution 1347 (XLV) of 30 July 1968)⁷⁰
- (e) *Role of the public sector*
Documentation Report of the Secretary-General on the role of the public sector in promoting the economic development of developing countries (Economic and Social Council resolution 1983/61 of 28 July 1983)⁷⁰
- (f) *Economic and technical aspects of marine affairs*
Documentation Conclusions and recommendations of the Economic and Social Council on economic and technical aspects of marine affairs (Economic and Social Council resolution 1985/75 of 26 July 1985)
- (g) *Patterns of consumption: qualitative aspects of development*
Documentation Relevant section of the report of the Economic and Social Council
- (h) *World Tourism Organization*
Documentation Report of the Secretary-General on the World Tourism Organization (General Assembly resolution 40/172 of 17 December 1985)⁷⁰

Item 2. Development and international economic co-operation⁷³

- (a) *Trade and development*
Documentation Report of the seventh session of the United Nations Conference on Trade and Development
Report of the Trade and Development Board (General Assembly resolution 1995 (XIX) of 30 December 1964)⁷⁰
Report of the Secretary-General on the meetings of the Inter-Agency Group on Reverse Transfer of Technology (General Assembly resolution 40/191 of 17 December 1985)
Report of the Secretary-General of the United Nations Conference on Trade and Development on the outcome of the meeting of Governmental Experts on the Reverse Transfer of Technology (Assembly resolution 40/191)
Report of the Secretary-General of the United Nations Conference on Trade and Development on specific action related to the particular needs and problems of land-locked developing countries (General Assembly resolution 40/183 of 17 December 1985)
- (b) *Implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries*
Documentation Report of the Secretary-General on the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries (General Assembly resolution 40/205 of 17 December 1985)

⁷² The programme of work and documentation list for 1987 will be updated in 1986, taking into account the relevant decisions to be adopted by the General Assembly at its forty-first session.

⁷³ The list of questions and documentation under this item is only indicative of requests for reports from the General Assembly. The list will be finalized after the Economic and Social Council completes its work each year.

Under this item the Second Committee will also have before it the reports of the World Food Council and the Council of the United Nations University. The Second Committee may wish to decide not to consider draft proposals on these reports, except specific proposals requiring action by the General Assembly contained in the reports of those bodies or in the report of the Economic and Social Council.

- (c) *Long-term trends in economic development*
Documentation Report of the Secretary-General on the long-term socio-economic perspective on the world economy to the year 2000 (General Assembly resolution 40/207 of 17 December 1985)⁷⁰
- (d) *Effective mobilization and integration of women in development*
Documentation Relevant chapter of the report of the Economic and Social Council on the recommendations of the Commission on the Status of Women (General Assembly resolution 40/204 of 17 December 1985)
 Progress report of the Secretary-General on the preparation of the first regular update of the survey on the role of women in development (Assembly resolution 40/204)
- (e) *Economic and technical co-operation among developing countries*
Documentation Report of the High-level Committee on the Review of Technical Co-operation among Developing Countries (General Assembly resolution 33/134 of 19 December 1978)⁷⁰
 Report of the Secretary-General on the implementation of the resolution on technical co-operation among developing countries (General Assembly resolution 40/196 of 17 December 1985)
 Report of the Secretary-General on co-operation between the United Nations and the Southern African Development Co-ordination Conference (General Assembly resolution 40/195 of 17 December 1985)
- (f) *Environment*
Documentation Report of the Governing Council of the United Nations Environment Programme (General Assembly resolution 2997 (XXVII) of 15 December 1972)⁷⁰
 Note by the Secretary-General on international conventions and protocols in the field of the environment (General Assembly resolution 3436 (XXX) of 9 December 1975)
 Report of the Secretary-General on remnants of war (General Assembly resolution 40/197 of 17 December 1985)
- (g) *Desertification and drought*
Documentation Report of the Governing Council of the United Nations Environment Programme on the implementation of the Plan of Action to Combat Desertification (General Assembly resolutions 32/172 of 19 December 1977, 35/73 of 5 December 1980 and 40/198 of 17 December 1985)⁷⁰
 Report of the Governing Council of the United Nations Environment Programme on the implementation of the Plan of Action to Combat Desertification in the Sudano-Sahelian region (General Assembly resolution 34/187 of 18 December 1972 and 40/198 B)⁷⁰
 Report of the Secretary-General on the implementation and financing of the Plan of Action to Combat Desertification (General Assembly resolution 40/198 A)⁷⁰
- (h) *Human settlements*
Documentation Report of the Commission on Human Settlements (General Assembly resolution 32/162 of 19 December 1977 and Economic and Social Council resolution 1978/1 of 12 January 1978)⁷⁰
 Report of the Secretary-General on the seminar on priority development projects needed for improving the living conditions of the Palestinian people in the occupied Palestinian territories (General Assembly resolution 40/169 of 17 December 1985)⁷⁰
- (i) *Science and technology for development*
Documentation Report of the Intergovernmental Committee on Science and Technology for Development (General Assembly resolutions 34/218 of 19 December 1979 and 39/217 of 18 December 1984)
- (j) *New international human order: moral aspects of development*
Documentation Report of the Secretary-General on the question of a new international human order: moral aspects of development (General Assembly resolution 40/206 of 17 December 1985)
- Item 3. *Operational activities for development*
- (a) *Operational activities of the United Nations system*
Documentation Report of the Director-General for Development and International Economic Co-operation on the operational activities of the United Nations system
- (b) *United Nations Development Programme*
Documentation Report of the Governing Council of the United Nations Development Programme⁷⁰
- (c) *United Nations Capital Development Fund*
Documentation Relevant chapter of the report of the Governing Council of the United Nations Development Programme
- (d) *United Nations technical co-operation activities*
Documentation Report of the Secretary-General on United Nations technical co-operation activities
 Relevant chapter of the report of the Governing Council of the United Nations Development Programme
 Report of the Secretary-General on the role of qualified national personnel in the social and economic development of developing countries (General Assembly resolution 40/213 of 17 December 1985)⁷⁰
- (e) *United Nations Volunteers programme*
Documentation Relevant chapters of the report of the Governing Council of the United Nations Development Programme
- Item 4. *Special programmes of economic assistance*
- Documentation* Reports of the Secretary-General on individual countries
 Report of the Secretary-General presenting summary reports on countries with no separate individual reports in that year

40/437. Development and international economic co-operation

At its 119th plenary meeting, on 17 December 1985, the General Assembly took note of part one of the report of the Second Committee.⁷⁴

40/438. International Development Strategy for the Third United Nations Development Decade

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee:⁷⁵

(a) Took note of the report of the Committee on the Review and Appraisal of the Implementation of the International Development Strategy for the Third United Nations Development Decade;⁷⁶

(b) Endorsed the agreed conclusions of the Committee on the Review and Appraisal of the Implementation of the International Development Strategy for the Third United Nations Development Decade⁷⁷ and took note of the statement by the Chairman of the Committee;⁷⁸

⁷⁴ Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 84, document A/40/989.

⁷⁵ Ibid., document A/40/989/Add.1, para. 5.

⁷⁶ Ibid., Fortieth Session, Supplement No. 48 (A/40/48).

⁷⁷ Ibid., para. 22.

⁷⁸ Ibid., Supplement No. 48 (A/40/48), annex.

(c) Welcomed the spirit of co-operation that was displayed by all delegations in adopting the above-mentioned agreed conclusions by consensus.

40/439. Protectionism and structural adjustment

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁷⁹ decided to defer until its forty-first session consideration of the draft resolution entitled "Protectionism and structural adjustment".⁸⁰

40/440. Status of the Agreement Establishing the Common Fund for Commodities

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁷⁹ decided to take note of the report of the Secretary-General on the status of the Agreement Establishing the Common Fund for Commodities.⁸¹

40/441. Note by the Secretariat on the environment

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁸² decided to take note of the note by the Secretariat⁸³ drawing the attention of the Committee to the following reports:

(a) Report of the Executive Director of the United Nations Environment Programme on the implementation of the Plan of Action to Combat Desertification in the Sudano-Sahelian region;⁸⁴

(b) Report of the Executive Director of the United Nations Environment Programme on shared natural resources and legal aspects of offshore mining and drilling;⁸⁵

(c) Report of the Executive Director of the United Nations Environment Programme on international conventions and protocols in the field of the environment.⁸⁶

40/442. World survey on the role of women in development

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁸⁷ took note of the note by the Secretary-General on the world survey on the role of women in development.⁸⁸

40/443. Report of the Secretary-General on immediate measures in favour of the developing countries

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁸⁹ took note of the report of the Secretary-General on immediate measures in favour of the developing countries.⁹⁰

40/444. Implementation of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee:⁸⁹

(a) Took note of the report of the Secretary-General on new and renewable sources of energy;⁹¹

(b) Decided that the third session of the Committee on the Development and Utilization of New and Renewable Sources of Energy should be held from 21 April to 2 May 1986.

40/445. International co-operation in the interrelated areas of money, finance, debt, resource flows, trade and development

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee:⁹²

(a) Decided to reconvene the Second Committee immediately prior to the first regular session of the Economic and Social Council of 1986, for one week, in order to give in-depth consideration to ways in which international co-operation in the interrelated areas of money, finance, debt, resource flows, trade and development could be promoted effectively and to deal with unfinished business under agenda item 84, namely:

International Conference on Money and Finance for Development (draft resolution A/C.2/40/L.30⁹³);

External debt crisis and development (draft resolution A/C.2/40/L.52⁹⁴);

Commodities (draft resolution A/C.2/40/L.81⁹⁵);

Debt and related issues (draft resolution A/C.2/40/L.129⁹⁶);

(b) Requested the Secretary-General to provide all necessary information and documentation to support the work of the Committee, including an update of the report submitted under General Assembly resolution 39/218 of 18 December 1984,⁹⁷ with a short summary of the relevant ideas and proposals put forward by the Heads of State and Government and Ministers for Foreign Affairs at the fortieth session of the General Assembly;

(c) Also requested the Secretary-General to invite the appropriate organs, organizations and bodies of the United Nations system to provide the Committee with information on their ongoing activities in the interrelated areas of money, finance, debt, resource flows, trade and development;

(d) Requested the Secretary-General of the United Nations Conference on Trade and Development to submit a report on the ongoing work of the Conference in the area of interdependence of trade, development, finance and the international monetary system.

⁷⁹ *Ibid.*, Fortieth Session, Annexes, agenda item 84, document A/40/989/Add.3, para. 72.

⁸⁰ See A/C.2/40/L.8. 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.

⁸¹ A/40/717.

⁸² *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 84, document A/40/989/Add.6, para. 32.

⁸³ A/C.2/40/L.11.

⁸⁴ UNEP/GC.13/7/Add.1.

⁸⁵ UNEP/GC.13/9/Add.1.

⁸⁶ UNEP/GC.13/10.

⁸⁷ *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 84, document A/40/989/Add.9, para. 11.

⁸⁸ A/40/703 and Corr.1.

⁸⁹ *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 84, document A/40/989/Add.13, para. 14.

⁹⁰ A/40/597 and Corr.1.

⁹¹ A/40/548.

⁹² *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 84, document A/40/989/Add.14, para. 28.

⁹³ *Ibid.*, para. 7.

⁹⁴ *Ibid.*, para. 11.

⁹⁵ *Ibid.*, document A/40/989/Add.3, para. 66.

⁹⁶ *Ibid.*, document A/40/989/Add.14, para. 12.

⁹⁷ A/40/708.

40/446. Closure of the Fund for the United Nations Relief Operations in Bangladesh and of the Trust Fund Programme for the Republic of Zaire

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁹⁸ having taken note of decision 85/42 of 29 June 1985 of the Governing Council of the United Nations Development Programme,⁹⁹ requested the Secretary-General to take the necessary steps for the closure of the Fund for the United Nations Relief Operations in Bangladesh and of the Trust Fund Programme for the Republic of Zaire and to transfer any balances of those Funds remaining as at 31 December 1985 as add-ons to the United Nations Development Programme indicative planning figures of the countries concerned.

40/447. Closure of the Fund of the United Nations for the Development of West Irian and of the United Nations Korean Reconstruction Agency

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁹⁸ having taken note of decision 85/42 of 29 June 1985 of the Governing Council of the United Nations Development Programme,⁹⁹ requested the Secretary-General to take the necessary steps for the closure as from 31 December 1985 of the Fund of the United Nations for the Development of West Irian and of the United Nations Korean Reconstruction Agency – Residual Assets Fund.

40/448. Closure of the United Nations Special Fund for Land-locked Developing Countries

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At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁹⁸ having taken note of decision 85/32 of 28 June 1985 of the Governing Council of the United Nations Development Programme,⁹⁹ requested the Secretary-General to take the necessary steps to dissolve the United Nations Special Fund for Land-locked Developing Countries in an orderly manner by 31 December 1986 and to transfer all uncommitted resources to the general resources of the Programme.

B¹⁰⁰

At its 120th plenary meeting, on 17 December 1985, the General Assembly decided that, as a result of the adoption of decision A above, the item entitled "Election of the members of the Board of Governors of the United Nations Special Fund for Land-locked Developing Countries" should no longer be included in its agenda.

C¹⁰⁰

At its 120th plenary meeting, on 17 December 1985, the General Assembly decided that, as a result of the adoption of decision A above, the item entitled "Confirmation of the appointment of the Executive Director of the United

Nations Special Fund for Land-locked Developing Countries" should no longer be included in its agenda.

40/449. Report of the Secretary-General on the United Nations technical co-operation activities

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁹⁸ took note of the report of the Secretary-General on the United Nations technical co-operation activities.¹⁰¹

40/450. Report of the Secretary-General on the liquidation of the United Nations Emergency Operation Trust Fund and allocation of the remaining balance

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁹⁸ took note of the report of the Secretary-General on the liquidation of the United Nations Emergency Operation Trust Fund and allocation of the remaining balance.¹⁰²

40/451. United Nations Institute for Training and Research

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,¹⁰³ having considered the report of the Secretary-General,¹⁰⁴ decided to grant the United Nations Institute for Training and Research, in order to supplement the funds raised through voluntary contributions for its 1986 budget, an amount corresponding to the unspent balance of the grant of \$1.5 million authorized for the Institute in resolution 39/177 of 17 December 1984.

40/452. Special assistance to Bolivia

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,¹⁰⁵ decided, at the request of the Government of Venezuela, that the Secretary-General should transfer all remaining monies from the United Nations Special Fund, which consist solely of contributions from Venezuela to that Fund, together with the interest accumulated over the years, to the Bolivia account in the Trust Fund for Special Economic Assistance Programmes.

40/453. Assistance to Uganda

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,¹⁰⁵ having heard the statement of the representative of Uganda on 13 November 1985,¹⁰⁶ and recalling its resolution 39/188 of 17 December 1984 on assistance to Uganda, decided to request the Secretary-General to continue to review the progress made in the economic situation in Uganda and in organizing international assistance for that country, to apprise the Economic and Social Council at its second regular session of 1986 of the situation and to report thereon to the Assembly at its forty-first session.

⁹⁸ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 85, document A/40/1041, para. 38.*

⁹⁹ *See Official Records of the Economic and Social Council, 1985, Supplement No. 11 (E/1985/32 and Corr.1), annex I.*

¹⁰⁰ Adopted without reference to a Main Committee.

¹⁰¹ DP/1985/43 and Add.1-3.

¹⁰² A/40/740.

¹⁰³ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 86, document A/40/1042, para. 18.*

¹⁰⁴ A/40/788.

¹⁰⁵ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 87, document A/40/1043, para. 93.*

¹⁰⁶ *Ibid.*, Fortieth Session, Second Committee, 34th meeting, paras. 32-34.

40/454. Special programmes of economic assistance

At its 120th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,¹⁰⁵ decided to take note of the following documents:

Report of the Secretary-General on assistance to Haiti;¹⁰⁷

Report of the Secretary-General on special economic assistance to Liberia;¹⁰⁸

Report of the Secretary-General on assistance to Yemen;¹⁰⁹

Report of the Secretary-General on assistance to Kiribati;¹¹⁰

Report of the Secretary-General on assistance to Tuvalu.¹¹¹

40/474. International co-operation in the interrelated areas of money, finance, debt, resource flows, trade and development

At its 133rd plenary meeting, on 20 June 1986, the General Assembly, on the recommendation of the Second Committee,¹¹² decided to defer until its forty-first session consideration of and appropriate action on the following questions:

International Conference on Money and Finance for Development (draft resolution A/C.2/40/L.30⁹³);

External debt crisis and development (draft resolution A/C.2/40/L.52⁹⁴);

Commodities (draft resolution A/C.2/40/L.81⁹⁵);

Debt and related issues (draft resolution A/C.2/40/L.129⁹⁶).

¹⁰⁷ A/40/432.

¹⁰⁸ A/40/433.

¹⁰⁹ A/40/440.

¹¹⁰ E/1985/67; transmitted to the members of the General Assembly by a note of the Secretary-General (A/40/437).

¹¹¹ E/1985/68; transmitted to the members of the General Assembly by a note of the Secretary-General (A/40/438).

¹¹² *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 84, document A/40/989/Add.15, para. 16.*

40/475. Interrelated issues of money, finance, debt, resource flows, trade and development

At its 133rd plenary meeting, on 20 June 1986, the General Assembly, on the recommendation of the Second Committee,¹¹² decided to transmit the revised informal working paper entitled "Interrelated issues of money, finance, debt, resource flows, trade and development"¹¹³ to the Economic and Social Council at its second regular session of 1986 for consideration and negotiations so that it might report thereon to the Assembly at its forty-first session.

40/476. Development and international economic co-operation

At its 133rd plenary meeting, on 20 June 1986, the General Assembly, on the recommendation of the Second Committee,¹¹² decided to take note of the reports of the Secretary-General entitled "International co-operation in the fields of money, finance, debt, resource flows, trade and development",¹¹⁴ and the note by the Secretariat transmitting a report by the Secretary-General of the United Nations Conference on Trade and Development entitled "Interdependence: an UNCTAD perspective".¹¹⁵

40/477. Consideration of the inclusion of an item in the agenda of the General Assembly

At its 133rd plenary meeting, on 20 June 1986, the General Assembly, in the light of the recommendation of the Second Committee,¹¹⁶ decided to defer until its forty-first session the decision on the inclusion of an item entitled "External debt crisis and development" in its agenda, on the understanding that the decision would be taken upon the request of interested countries, and requested the Secretary-General to submit to the Assembly at its forty-first session the updated portions of the *World Economic Survey 1986*¹¹⁷ relating to those questions.

¹¹³ Subsequently issued as document E/1986/L.28.

¹¹⁴ A/40/708; A/C.2/40/15.

¹¹⁵ A/C.2/40/14.

¹¹⁶ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 84, document A/40/989/Add.15, para. 17.*

¹¹⁷ United Nations publication, Sales No. E.86.II.C.1.

5. Decisions adopted on the reports of the Third Committee**40/425. Draft declaration on the right to development**

At its 116th plenary meeting, on 13 December 1985, the General Assembly, on the recommendation of the Third Committee,¹¹⁸ having considered the question of a draft declaration on the right to development, decided to transmit to its forty-first session the draft declaration on the right to development,¹¹⁹ as well as all relevant documents, including the amendment by Pakistan,¹²⁰ with a view to continuing the consideration of this question at that session.

¹¹⁸ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 107, document A/40/970, para. 18.*

¹¹⁹ *Ibid.*, para. 11.

¹²⁰ *Ibid.*, para. 14.

40/426. Inadmissibility of exploitation or distortion of human rights issues for interference in the internal affairs of States

At its 116th plenary meeting, on 13 December 1985, the General Assembly, on the recommendation of the Third Committee,¹²¹ decided to defer until its forty-first session consideration of the draft resolution on the inadmissibility of exploitation or distortion of human rights issues for interference in the internal affairs of States¹²² and the amendments thereto.¹²³

¹²¹ *Ibid.*, Annexes, agenda item 12, document A/40/1007, para. 79.

¹²² *Ibid.*, para. 60.

¹²³ *Ibid.*, para. 61.

40/427. Meeting of the Working Group of Governmental Experts on the Right to Development

At its 116th plenary meeting, on 13 December 1985, the General Assembly, on the recommendation of the Third Committee,¹²¹ considered that the meeting of the Working

Group of Governmental Experts on the Right to Development, scheduled to be held in January 1986, should be postponed until a later date, so as to enable the Commission on Human Rights at its forty-second session to provide the Working Group with appropriate guidance for its future work, in the light of the relevant discussions and decisions of the fortieth session of the Assembly.

6. Decisions adopted on the reports of the Fourth Committee

40/409. Question of Namibia¹²⁴

At its 80th plenary meeting, on 18 November 1985, the General Assembly took note of the report of the Fourth Committee.¹²⁵

40/410. Question of the Falkland Islands (Malvinas)¹²⁶

At its 95th plenary meeting, on 27 November 1985, the General Assembly took note of the report of the Fourth Committee.¹²⁷

40/411. Question of Tokelau

At its 99th plenary meeting, on 2 December 1985, the General Assembly, on the recommendation of the Fourth Committee,¹²⁸ 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 Peoples¹²⁹ and having heard the statement of the representative of New Zealand with regard to Tokelau,¹³⁰ notes with appreciation the willingness of the administering Power to maintain its close co-operation 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 that right. In this regard, the Assembly notes that the people of the Territory have expressed the view that, for the time being, they do not wish to review the nature of the existing relationship between Tokelau and New Zealand but that they desire to be given some latitude and some degree of autonomy in decision-making. 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 and that it is committed to responding positively to the expressed desires of the people of Tokelau. The Assembly calls upon the administering Power to continue its programme of fostering awareness among the people of Tokelau of the possibilities open to them in the exercise of their right to self-determination and within the context of its efforts to ensure the preservation of the identity and cultural heritage of the people of Tokelau. The Assembly is of the

opinion that the administering Power should continue to inform the people of Tokelau of the consideration of their Territory by the United Nations. The Assembly recognizes that the political and economic development of Tokelau is an important element in the process of self-determination. In this connection, the Assembly notes with satisfaction that the General *Fono* (Council) of Tokelau is assuming greater authority in local political, economic and financial affairs. The Assembly notes with satisfaction that the General *Fono* has established two additional committees to deal with health and agriculture. The Assembly notes further 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. In this regard, the Assembly also notes that the Tokelau public service, with support from the administering Power, is currently investigating ways of improving Tokelau's copra growing and marketing schemes. In particular, the Assembly notes with satisfaction the measures being taken to lessen the Territory's isolation, namely, the upgrading of telecommunications facilities and the study to determine the feasibility of constructing landing strips for aircraft on each of the three atolls, and the efforts to facilitate regular air transport to the Territory. 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 them to continue providing assistance to the Territory. Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories, the Assembly welcomes the invitation from the administering Power, New Zealand, and from the people of the Territory, to send a visiting mission during 1986 and takes note of the related decision of the Special Committee.¹³¹ 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 forty-first session."

40/412. Question of Pitcairn

At its 99th plenary meeting, on 2 December 1985, the General Assembly, on the recommendation of the Fourth

¹²⁴ See also sect. II, resolution 40/97.

¹²⁵ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 34, document A/40/382.*

¹²⁶ See also sect. II, resolution 40/21.

¹²⁷ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 23, document A/40/949.*

¹²⁸ *Ibid.*, agenda item 18, document A/40/906, para. 29.

¹²⁹ *Ibid.*, *Fortieth Session, Supplement No. 23 (A/40/23)*, chaps. II, IV and XIII.

¹³⁰ *Ibid.*, *Fortieth Session, Fourth Committee, 18th meeting*, paras. 38-45.

¹³¹ *Ibid.*, *Fortieth Session, Supplement No. 23 (A/40/23)*, chap. XIII, para. 10.

Committee,¹²⁸ 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,¹³² takes note of the statement of the representative of the United Kingdom of Great Britain and Northern Ireland¹³³ affirming that his Government’s policy was one of respect for the very individual life-style that the people of Pitcairn had freely chosen and that the United Kingdom perceived its role as the administering Power as doing what it could to preserve, promote and protect it. 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 forty-first session.”

40/413. Question of Gibraltar

At its 99th plenary meeting, on 2 December 1985, the General Assembly, on the recommendation of the Fourth Committee,¹²⁸ adopted the following text as representing the consensus of the members of the Assembly:

“The General Assembly, noting that the Governments of Spain and of the United Kingdom of Great Britain and Northern Ireland agreed at Brussels on 27 November 1984 on a statement¹³⁴ whereby they decided to apply, before 15 February 1985, the Lisbon Declaration¹³⁵ of 10 April 1980 in all its parts; noting that this involved, simultaneously, the provision of equality and reciprocity of rights for Spaniards in Gibraltar and Gibraltarians in Spain, the establishment of the free movement of persons, vehicles and goods between Gibraltar and the neighbouring territory and the establishment of a negotiating process; and noting that, as regards this last point, the Brussels statement reads as follows:

“(c) The establishment of a negotiating process aimed at overcoming all the differences between them over Gibraltar and at promoting co-operation on a mutually beneficial basis on economic, cultural, touristic, aviation, military and environment matters. Both sides accept that the issues of sovereignty will be discussed in that process. The British Government will fully maintain its commitment to honour the wishes of the people of Gibraltar as set out in the preamble of the 1969 Constitution”;

welcomes the fact that on 5 February 1985 equality and reciprocity of rights were established for Spaniards in Gibraltar and Gibraltarians in Spain, together with the free movement of persons, vehicles and goods between Gibraltar and the neighbouring territory;¹³⁶ also welcomes the fact that the two Governments initiated, at Geneva on 5 February 1985, the negotiating process provided for in the Brussels statement and foreseen in the consensus approved by the Assembly on 14 December 1973;¹³⁷ and urges both Governments to continue this process 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.”

40/414. Question of St. Helena

At its 99th plenary meeting, on 2 December 1985, the General Assembly, on the recommendation of the Fourth Committee,¹³⁸ 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 Peoples¹³⁹ and having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland,¹³³ 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 in relation to their future political status and, in that regard, urged the administering Power, in consultation with the Legislative Council and other 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 this Territory and in that connection reaffirmed the importance of promoting an awareness among the people of St. Helena of the possibilities open to them in the exercise of their right to self-determination. 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 fisheries development, forestry, handicrafts and agriculture. 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. The Assembly noted with concern the presence of military facilities on the dependency of Ascension Island and, in that regard, recalled all 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 Territories 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 forty-first session.

¹³² *Ibid.*, chaps. II and XIV.

¹³³ *Ibid.*, Fortieth Session, Fourth Committee, 19th meeting, paras. 3-8.

¹³⁴ See A/39/732, annex.

¹³⁵ See A/AC.109/603 and Corr.1, para. 13.

¹³⁶ See A/40/113.

¹³⁷ *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 30 (A/9030)*, p. 120, item 23.

¹³⁸ *Ibid.*, Fortieth Session, Annexes, agenda item 18, document A/40/906, para. 30.

¹³⁹ *Ibid.*, Fortieth Session, Supplement No. 23 (A/40/23), chaps. II, IV and XV.

40/415. 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 99th plenary meeting, on 2 December 1985, the General Assembly, on the recommendation of the Fourth Committee,¹⁴⁰ adopted the following text:

"1. 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 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',¹⁴¹ and recalling its decision 39/412 of 5 December 1984 on this subject, deplors the fact that the colonial Powers concerned have taken no steps to implement the request that the Assembly has repeatedly addressed to them, most recently in paragraph 10 of its resolution 39/91 of 14 December 1984, 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 recalling its resolution 1514 (XV) of 14 December 1960 and all other United Nations resolutions and decisions relating to military bases and installations in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that the presence of military bases and installations in the colonial and Non-Self-Governing Territories could constitute a major obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and that it is the responsibility of the administering Powers to ensure that the existence of such bases and installations does not hinder the populations of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations and the Declaration. Furthermore, aware of the presence of military bases and installations of the administering Powers concerned and other countries in those Territories, the Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in Territories under their administration.

"3. The General Assembly reiterates its condemnation of all military activities and arrangements by colonial Powers in Territories under their administration that are detrimental to the rights and interests 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 the relevant resolutions of the

Assembly, in particular with paragraph 9 of 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 Assembly resolution 35/118 of 11 December 1980.

"4. The General Assembly declares that the colonial Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

"5. The General Assembly notes with serious concern that, in southern Africa in general and in and around Namibia in particular, a critical situation continues to prevail as a result of South Africa's continued illegal occupation of the Territory and its inhuman repression of the people of South Africa. The racist régime has resorted to desperate measures in order to suppress by force the legitimate aspirations of those peoples and, in its escalating war against them and their national liberation movements, struggling for freedom, justice and independence, the régime has repeatedly committed acts of armed aggression against the neighbouring independent African States, particularly Angola and Botswana, which have caused extensive loss of human lives and destruction of the economic infrastructure.

"6. The General Assembly strongly condemns South Africa for its ever-increasing and large-scale military build-up in Namibia, particularly its massive military offensive launched recently in northern Namibia, its introduction of compulsory military service for Namibians, its forced recruitment and training of Namibians for tribal armies, its use of mercenaries to reinforce its illegal occupation of the Territory and to participate in its attacks against independent African States and its illegal use of Namibian territory for acts of aggression against those States. The Assembly calls upon all States to take effective measures to prevent the recruitment, training and transit of mercenaries for service in Namibia. It condemns the continued military, nuclear and intelligence collaboration between South Africa and certain countries, which constitutes a violation of the arms embargo imposed against South Africa by the Security Council in its resolution 418 (1977) of 4 November 1977, and which poses a threat to international peace and security. The Assembly urges that the Security Council consider, as a matter of urgency, the report of the Committee established under its resolution 421 (1977) of 9 December 1977¹⁴² and that it should adopt further measures to widen the scope of resolution 418 (1977) in order to make it more effective and comprehensive. The Assembly also calls for the scrupulous observance of Security Council resolution 558 (1984) of 13 December 1984 enjoining Member States to refrain from importing armaments from South Africa. The Assembly is particularly mindful in that regard of the relevant resolutions of the Organization of African Unity, the Final Document of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of Non-Aligned Countries on the question of Namibia, held at New Delhi from 19 to 21 April 1985,¹⁴³ the Final Document adopted by the United Nations Council for Namibia at its extraordinary plenary meetings held at Vienna from 3 to 7 June 1985,¹⁴⁴ and Security Council resolutions

¹⁴⁰ *Ibid.*, Fortieth Session, Annexes, agenda item 110, document A/40/883, para. 10.

¹⁴¹ *Ibid.*, Fortieth Session, Supplement No. 23 (A/40/23), chap. VI.

¹⁴² *Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980*, document S/14179.

¹⁴³ A/40/307-S/17184 and Corr.1, annex.

¹⁴⁴ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 24 (A/40/24)*, para. 513.

567 (1985) of 20 June 1985 and 568 (1985) of 21 June 1985.

"7. The General Assembly demands the urgent dismantling of all military bases in the international Territory of Namibia and calls for the immediate cessation of the war of oppression waged by the racist minority régime against the people of Namibia and their national liberation movement, the South West Africa People's Organization, their sole and authentic representative. 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 considers that the acquisition of nuclear weapons capability by the racist régime of South Africa, with its infamous 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 threat to all mankind. The continuing assistance rendered to the South African régime by certain Western and other countries 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 condemns the continued nuclear co-operation by certain Western and other countries 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.

"9. 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 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 States.

"10. The General Assembly, in recalling 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, strongly condemns the continuing collaboration of certain countries with the racist régime in the political, economic, military and nuclear fields. It calls for the termination forthwith of all such collaboration as it undermines international solidarity against the *apartheid* régime and helps to perpetuate that régime's illegal occupation of Namibia.

"11. 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 that could be more beneficially utilized in promoting the economic development of the Territories concerned and is thus contrary to the interests of their populations.

"12. 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 that are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV).

"13. The General Assembly requests the Special Committee to continue its consideration of the item and to report thereon to the Assembly at its forty-first session."

7. Decisions adopted on the reports of the Fifth Committee

40/405. Unified conference services and other joint services for the United Nations organizations at the Vienna International Centre

At its 19th plenary meeting, on 2 October 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁴⁵ recalling section IV of its resolution 39/242 of 18 December 1984, and mindful of the desirability of unified conference services and other joint services at Vienna:

(a) Requested the Secretary-General, on an urgent basis, to resume discussions on unified conference services and other joint services with the Director-General of the United Nations Industrial Development Organization, with a view to resolving outstanding differences in time for a further report to be submitted to the Assembly later at its fortieth session;

(b) Requested the Secretary-General to communicate to the relevant bodies of the United Nations Industrial

Development Organization its concern that no action should be taken by that Organization that would either preclude further discussions by the Secretary-General and the Director-General on unified conference services and other joint services or prejudice the outcome of such discussions.

40/455. Standards of accommodation for air travel

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee:¹⁴⁶

(a) Took note of the report of the Secretary-General on standards of accommodation for air travel¹⁴⁷ and the related report of the Advisory Committee on Administrative and Budgetary Questions;¹⁴⁸

(b) Endorsed the recommendation of the Advisory Committee contained in paragraph 2 of its report;¹⁴⁸

¹⁴⁵ *Ibid.*, Fortieth Session, Annexes, agenda item 120, document A/40/695, para. 5.

¹⁴⁶ *Ibid.*, agenda item 115, document A/40/1058, para. 8.

¹⁴⁷ A/C.5/40/22 and Corr.1.

¹⁴⁸ A/40/830.

(c) Decided that future annual reports submitted to the General Assembly on this subject should include information on all expenditures by the United Nations for first class air travel.

40/456. Use of experts, consultants and participants in *ad hoc* expert groups

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁴⁶ decided to defer until its forty-first session consideration of the report of the Secretary-General on the use of experts, consultants and participants in *ad hoc* expert groups.¹⁴⁹

40/457. Investments of the United Nations Joint Staff Pension Fund

At its 121st plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁵⁰ took note of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund.¹⁵¹

40/462. Report of the Economic and Social Council

At its 122nd plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁵² took note of chapters I, IV (sects. D, G and J), V (sect. A), VI (sects. C, D and F), VII, VIII and IX (sects. J and L) of the report of the Economic and Social Council.¹⁵²

40/463. Agreement between the United Nations and the United Nations Industrial Development Organization

At its 122nd plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁵² approved administrative and financial aspects of the draft Agreement between the United Nations and the United Nations Industrial Development Organization.¹⁵³

40/464. Scale of assessments for the apportionment of the expenses of the United Nations

At its 122nd plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁵⁴ decided to continue at its forty-first session the negotiations on the methodology for the elaboration of future scales of assessments.

40/465. Feasibility of establishing a single administrative tribunal

At its 122nd plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁵⁵ decided to defer until its forty-first session consideration of the report of the Secretary-General on the feasibility of establishing a single administrative tribunal.¹⁵⁶

40/466. Job classification of the General Service and related categories in New York

At its 122nd plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the

Fifth Committee,¹⁵⁷ having considered the report of the Secretary-General on job classification of the General Service and related categories in New York,¹⁵⁸ decided:

(a) To defer a decision on job classification of the General Service and related categories in New York;

(b) To consider the question at its forty-first session, or if possible before the session, on the basis of the recommendations of the Advisory Committee on Administrative and Budgetary Questions and any observations that may be made by the International Civil Service Commission;

(c) To ensure that social justice should be done in the matter;

(d) That the effective date of the implementation of the results of the classification exercise should be 1 January 1985.

40/467. Amendments to the Staff Regulations of the United Nations

At its 122nd plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁵⁷ having considered the report of the Secretary-General on amendments to the Staff Regulations and Rules,¹⁵⁹ decided:

(a) That the last sentence of paragraph 5 of annex I to the Staff Regulations of the United Nations should be amended to replace the term "annual budget" by the term "programme budget";

(b) That the French text of regulations 3.3 (a), (e) and (f), 6.2, 8.1 (b), 8.2 and paragraphs 7 and 9 and the title of the first table of annex I to the Regulations should be amended as proposed by the Secretary-General to reflect the proper terminology and usage.

40/468. Amendments to the Staff Rules

At its 122nd plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁵⁷ decided to take note of the reports of the Secretary-General on amendments to the Staff Rules.¹⁶⁰

40/469. Situation of General Service staff

At its 122nd plenary meeting, on 18 December 1985, the General Assembly, on the recommendation of the Fifth Committee,¹⁵⁷ recalling its request to the Secretary-General in paragraph 6 (g) of section I of resolution 39/245 of 18 December 1984 to implement recommendation 7 of the report of the Joint Inspection Unit,¹⁶¹ which called for a study on the situation of staff in the General Service category, requested the Secretary-General to submit a report on the study to the Assembly at its forty-first session.

40/471. Current financial crisis of the United Nations

At its 131st plenary meeting, on 2 May 1986, the General Assembly took note of the report of the Fifth Committee.¹⁵

¹⁴⁹ A/C.5/40/40.

¹⁵⁰ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 125, document A/40/1057, para. 9.*

¹⁵¹ A/C.5/40/24.

¹⁵² *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 12, document A/40/1068, para. 5.*

¹⁵³ For the text of the Agreement, see sect. V, resolution 40/180, annex.

¹⁵⁴ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 122, document A/40/1066, para. 8.*

¹⁵⁵ *Ibid.*, agenda item 119, document A/40/1064, para. 10.

¹⁵⁶ A/40/471.

¹⁵⁷ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 123, document A/40/1067, para. 18.*

¹⁵⁸ A/C.5/40/84 and Corr.1.

¹⁵⁹ A/C.5/40/5/Add.1.

¹⁶⁰ A/C.5/40/5 and A/C.5/40/5/Add.1, sect. II.

¹⁶¹ See A/39/483.

8. Decisions adopted on the reports of the Sixth Committee

40/419. Development and strengthening of good-neighbourliness between States

At its 112th plenary meeting, on 11 December 1985, the General Assembly, on the recommendation of the Sixth Committee,¹⁶² having considered the item entitled "Development and strengthening of good-neighbourliness between States", decided:

(a) To take note of the report of the Sub-Committee on Good-Neighbourliness,¹⁶³ set up by the Sixth Committee during the fortieth session;

(b) To continue and complete, on the basis of its resolution 39/78 of 13 December 1984, the task of identifying and clarifying the elements of good-neighbourliness within the framework of a sub-committee of the Sixth Committee, at the forty-first session;

(c) To include in the provisional agenda of its forty-first session the item entitled "Development and strengthening of good-neighbourliness between States".

40/420. Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment

At its 112th plenary meeting, on 11 December 1985, the General Assembly, on the recommendation of the Sixth Committee:¹⁶⁴

(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,¹⁶⁵ established in accordance with General Assembly decision 36/426 of 10 December 1981 to elaborate a final version of the draft Body of Principles, a task which it had not been able to conclude;

(b) Decided that an open-ended working group of the Sixth Committee would be established at the forty-first session 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 fortieth session;¹⁶⁵

(d) Decided to include in the provisional agenda of its forty-first session the item entitled "Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment".

40/421. Draft standard rules of procedure for United Nations conferences

At its 112th plenary meeting, on 11 December 1985, the General Assembly, on the recommendation of the Sixth Committee:¹⁶⁶

(a) Decided to defer until its forty-first session consideration of the report of the Secretary-General on draft standard rules of procedure for United Nations conferences;¹⁶⁷

(b) Requested the Secretary-General to submit to the Assembly at its forty-first session a report on draft standard rules of procedure for United Nations conferences.

40/422. 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

At its 112th plenary meeting, on 11 December 1985, the General Assembly, on the recommendation of the Sixth Committee:¹⁶⁸

(a) Expressed its appreciation of the work done in the Third and Sixth Committees in the common endeavour of elaborating a 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;

(b) Took note of the report,¹⁶⁹ including the draft Declaration, on the open-ended informal consultations held at United Nations Headquarters from 16 to 27 September 1985 between Member States representing different legal systems;

(c) Decided that the Sixth Committee should hold informal consultations of limited duration early in the forty-first session in order to consider the remaining questions with a view to achieving agreement and adopting the draft Declaration at that session.

40/423. Report of the Economic and Social Council

At its 112th plenary meeting, on 11 December 1985, the General Assembly, having considered the report of the Sixth Committee,¹⁷⁰ took note of chapter I of the report of the Economic and Social Council.⁴²

¹⁶² *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 131, document A/40/1011, para. 9.*

¹⁶³ A/C.6/40/L.28 and Corr.1.

¹⁶⁴ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 142, document A/40/981, para. 9.*

¹⁶⁵ A/C.6/40/L.18.

¹⁶⁶ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 143, document A/40/1002, para. 5.*

¹⁶⁷ A/40/611 and Add.1.

¹⁶⁸ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 148, document A/40/998, para. 9.*

¹⁶⁹ A/40/244, annex.

¹⁷⁰ *Official Records of the General Assembly, Fortieth Session, Annexes, agenda item 12, document A/40/997.*

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.

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<i>Ad Hoc</i> Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries	40	327
<i>Ad Hoc</i> Committee on the Implementation of the Collective Security Provisions of the Charter of the United Nations ^a	38	92
<i>Ad Hoc</i> Committee on the Indian Ocean	39	321
<i>Ad Hoc</i> Committee on the World Disarmament Conference	28, vol. I	21
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Committee for the United Nations Population Award ^d	36	135
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Committee on Applications for Review of Administrative Tribunal Judgments ^e	10	31
Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter	10	49
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Committee on Contributions	40	328
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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 ^f		

^a See also sect. III, resolution 40/159.

^b See also decisions 36/424 and 39/430.

^c See also A/39/662, para. 1.

^d See also Economic and Social Council decision 1982/188; and A/39/537, para. 2.

^e Composed of the Member States represented on the General Committee of the General Assembly at the fortieth session (see sect. X.A, decisions 40/302, 40/303 and 40/304).

^f 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, Fortieth Session, Supplement No. 45 (A/40/45), annex III.*

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[§] 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, Fortieth Session, Supplement No. 18 (A/40/18)*, annex II.

^b See also *Official Records of the General Assembly, Fortieth Session, Supplement No. 20 (A/40/20 and Corr.1)*, para. 5.

ⁱ Previously known as the Committee on Disarmament (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27 and Corr.1)*, para. 21).

^j See sect. X.A, decisions 40/302, 40/303 and 40/304.

^k See also *Official Records of the General Assembly, Fortieth Session, Supplement No. 39 (A/40/39)*, sect. II.B.

^l *Ibid.*, Supplement No. 10 (A/40/10), para. 3.

^m *Ibid.*, Thirty-first Session, Supplement No. 37 (A/31/37), para. 3.

ⁿ *Ibid.*, Fortieth Session, Supplement No. 49 (A/40/49), para. 5.

^o By a communication dated 8 July 1985 (see A/39/931), the President of the General Assembly informed the Secretary-General that he had appointed the following Member States as members of the Preparatory Committee for the International Conference on the Relationship between Disarmament and Development: AFGHANISTAN, ARGENTINA, AUSTRALIA, AUSTRIA, BAHAMAS, BANGLADESH, BOLIVIA, BRAZIL, BULGARIA, CAMEROON, CANADA, CHINA, COLOMBIA, CONGO, CUBA, CZECHOSLOVAKIA, FRANCE, GERMAN DEMOCRATIC REPUBLIC, GERMANY, FEDERAL REPUBLIC OF GHANA, GREECE, INDIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), ITALY, JAMAICA, KENYA, MEXICO, MONGOLIA, NETHERLANDS, NIGERIA, NORWAY, PAKISTAN, PHILIPPINES, PORTUGAL, ROMANIA, RWANDA, SENEGAL, SPAIN, SRI LANKA, SUDAN, SWAZILAND, SWEDEN, SYRIAN ARAB REPUBLIC, TOGO, UGANDA, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, URUGUAY, VENEZUELA, YUGOSLAVIA and ZAMBIA.

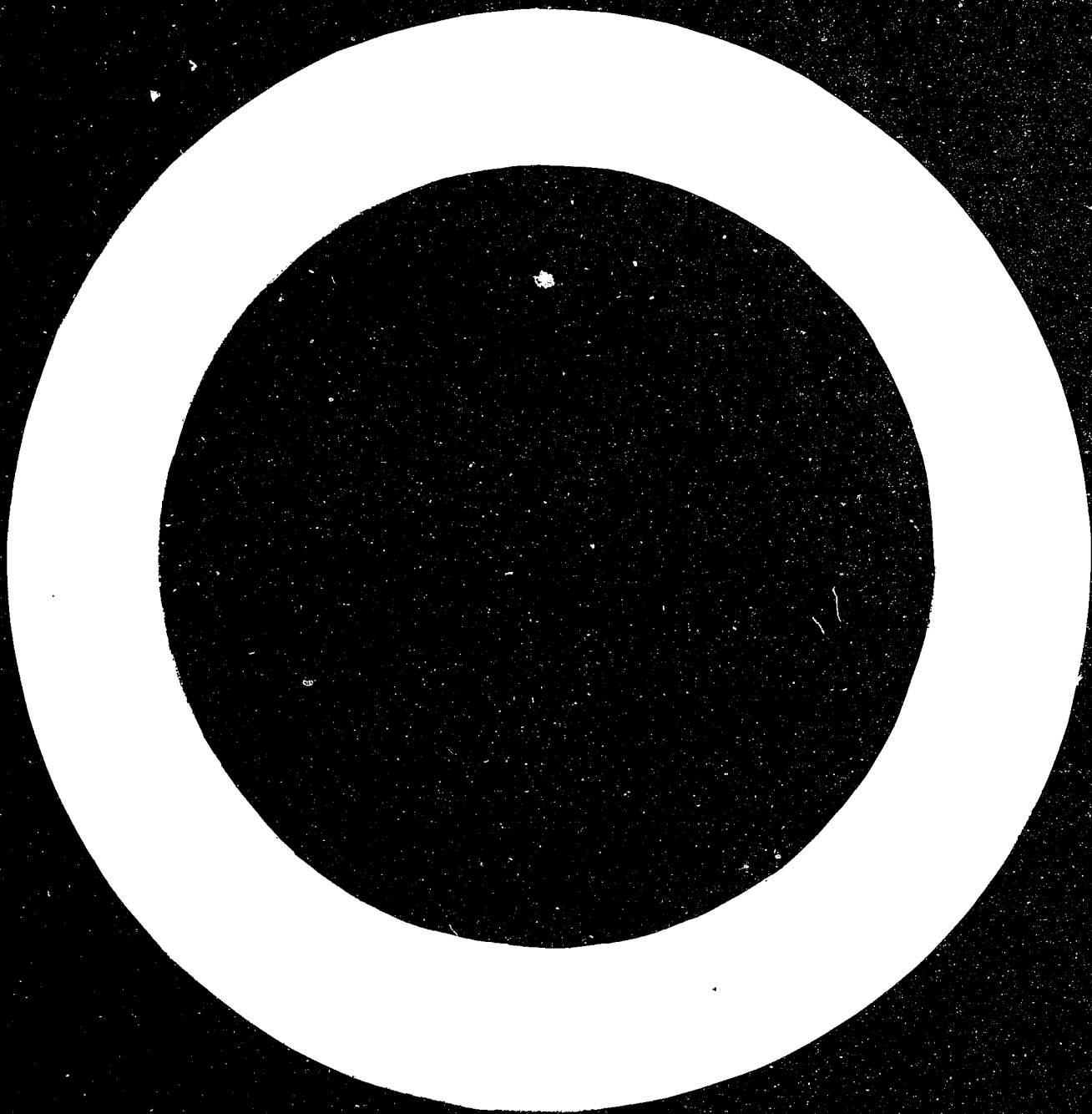
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^p By a letter dated 9 January 1985 (A/40/92), the representative of Australia informed the President of the General Assembly that the Government of Australia had decided that Australia should withdraw from the Special Committee. See also sect. X.B.1, decision 40/470.

^q See also *Official Records of the Trade and Development Board, Thirty-first Session, Supplement No. 1A* (TD/B/1077), vol. II, annex V.

^r See also *Official Records of the Security Council, Fortieth Year, Special Supplement No. 1*, para. 1.

^s 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>
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Agreement between the United Nations and the International Fund for Agricultural Development	32/107
Agreement between the United Nations and the United Nations Industrial Development Organization	40/180
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)
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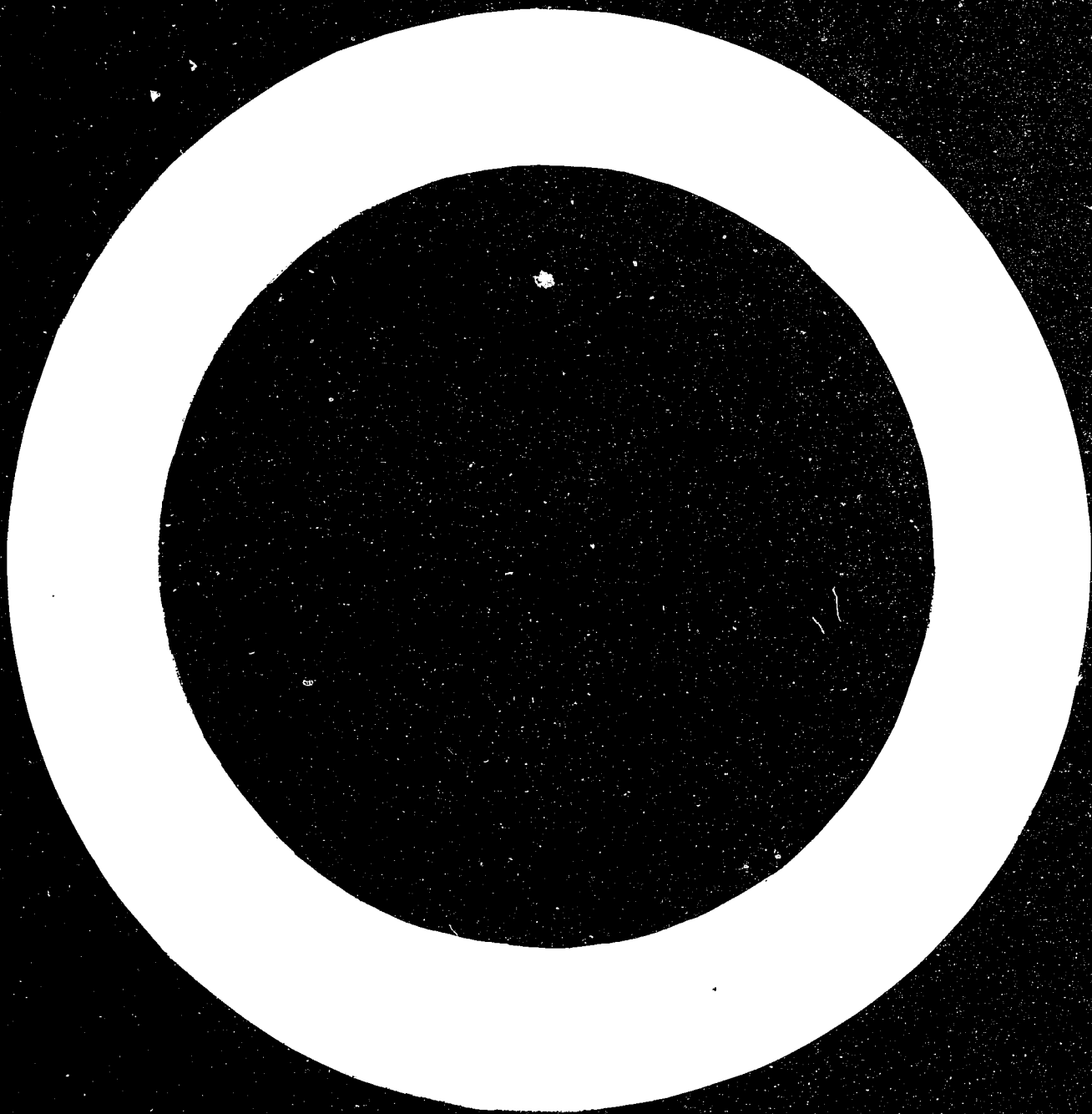
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ANNEX IV

CHECK LIST OF RESOLUTIONS AND DECISIONS

This check list includes all the resolutions and decisions adopted by the General Assembly during its fortieth session, from 17 September to 18 December 1985, from 28 April to 9 May and on 20 June 1986. 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, Fortieth 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.39).

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40/5	Co-operation between the United Nations and the League of Arab States	26	50th	25 October 1985	133-2-2	16
40/6	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	29	59th	1 November 1985	88-13-39	17
40/7	The situation in Kampuchea	22	63rd	5 November 1985	114-21-16	18
40/8	Report of the International Atomic Energy Agency	14	69th	8 November 1985		19
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40/12	The situation in Afghanistan and its implications for international peace and security	28	74th	13 November 1985	122-19-12	21
40/13	International relief to Colombia	149	79th	15 November 1985		22
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40/22	Second Decade to Combat Racism and Racial Discrimination	88	96th	29 November 1985		194
40/23	National experience in achieving far-reaching social and economic changes for the purpose of social progress	91	96th	29 November 1985	133-1-11	195
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40/26	Status of the International Convention on the Elimination of All Forms of Racial Discrimination	94 (b)	96th	29 November 1985		199
40/27	Status of the International Convention on the Suppression and Punishment of the Crime of <i>Apartheid</i>	94 (c)	96th	29 November 1985	120-1-24	199
40/28	Report of the Committee on the Elimination of Racial Discrimination	94 (a)	96th	29 November 1985	136-1-9	200
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40/31	Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons	97	96th	29 November 1985		203
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40/57	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	18	99th	2 December 1985	141-3-7	28
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^a Section IV of resolution 40/252 was put to the vote and adopted by 135 votes to 2, with 11 abstentions.

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